



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.5088 of 2022

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Balasubramanian

... Petitioner

Vs.

1.The Project Director,
Tamilnadu Health Systems Project,
3rd Floor, 359,
Annasalai, Teynampettai,
Chennai.

2.The Commissioner,
Treasury and Audit Department,
No.9, Johns Road,
Seithapettai, Chennai - 15.

3.The Senior Regional Manager,
United India Insurance Company,
5th Floor, P.L.A. Rathna Towers,
Raju Building, 212 Annasalai,
Chennai - 600 006.

4.The Joint Director of Health Services,
Trichy District,
Trichy.

5.The Managing Director,
Kavi Hospital and Neuro Foundation,
No.205-1, Kumaran Road,
Sangiliyandapuram,
Trichy.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 4 to reimburse the medical expenses of Rs.2,40,000/- incurred by the petitioner towards his Covid-19 critical care treatment in the fifth respondent Hospital by considering the petitioner's representation dated 02.02.2022.

For Petitioner : Mr.T.Lenin Kumar

For Respondents 1,2 & 4 : Mr.T.Amjad Khan

Government Advocate



O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents 1 to 4 to reimburse the medical expenses amounting to Rs.2,40,000/- to the petitioner incurred by him towards his Covid-19 critical care treatment in the fifth respondent hospital based on the petitioner's representation dated 02.02.2022 within a time frame to be fixed by this Court.

2. According to the petitioner, the State Government tied up with the third respondent Insurance Company to provide health insurance policy to the beneficiaries and the general public under CMCHIS Scheme. According to the petitioner, he had incurred a sum of Rs.2,40,000/- towards his Covid-19 critical care treatment in the fifth respondent hospital. As per the aforementioned scheme, he is entitled to get reimbursement of the said sum. However, the same has not been reimbursed till date. He has also given a representation on 02.02.2022 for the said purpose. In such circumstances, the petitioner has filed this writ petition.

3. Heard Mr.T.Lenin Kumar, learned Counsel appearing for the writ petitioner and Mr.T.Amjad Khan, learned Government Advocate who accepts notice on behalf of respondents 1, 2 and 4.

4. Learned Government Advocate on instructions would submit that the third respondent has already remitted the amount due and payable to the petitioner under the CMCHIS scheme for the expenses incurred by him towards his Covid-19 critical care treatment in the fifth respondent hospital. According to him, the said amount is now lying in the bank account of the fifth respondent hospital. He would also submit that a direction can be issued to the fourth respondent to give instructions to the fifth respondent hospital to pay the amount payable to the petitioner under the aforementioned scheme for the expenses incurred by him towards his Covid-19 critical care treatment in the fifth respondent hospital. The said statement is recorded.

5. No prejudice would be caused to any of the respondents if such a direction is issued.

6. After recording the statement made by the learned Government Advocate appearing for the official respondents, this Court directs the fourth respondent to communicate with the fifth respondent hospital and direct them to pay the amount paid by the third respondent insurance company towards reimbursement of the petitioner's expenses incurred by him towards his Covid-19 critical care treatment in the fifth respondent hospital within a stipulated time and the fifth respondent is directed to act accordingly and pay the amount to the petitioner.



7. With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS-II)

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Sub Assistant Registrar(CS)

MR

To

1. The Project Director,
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Trichy.

+1 CC to M/s.SPL GP (SR-14272[F] dated 24/03/2022)

W.P.[MD]No.5088 of 2022
23.03.2022

NSN(CO)

KB(05.04.2022) 3P 7C