



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.(MD) No.7217 of 2021

WEB COPY

Peselayal

... Petitioner

vs.

1.The Superintending Engineer,
Tamil Nadu Generation and
Distribution Corporation Limited(TANGEDCO),
Dindugul

2.The Assistant Electricity Engineer,
Tamil Nadu Generation and
Distribution Limited (TANGEDCO),
Seluvathur
Dindugul

3.United India Insurance Co., Ltd.,
Guna Complex # 443 & 445 Anna Salai
Teynampet
Chennai

... Respondents

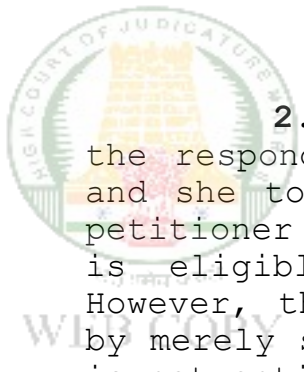
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of certiorarified mandamus calling for the records pertaining in Ku.Aa.No.016251/371/NiP.3/Ni.O.3/Ko./2020 dated 09.10.2020, on the file of the 1st respondent and quash the same as illegal and consequently for a direction directing the respondents to disburse the medical claim amount Rs.1,85,000/- together with further interest to the petitioner under the medical reimbursement scheme, within a time to be fixed by this Court.

For Petitioner : Mr.Hassanul Bazari.J.M.

For Respondents : Mr.S.Arivalagan for R1 & R2
Mr.A.Shajahan for R3

O R D E R

The impugned order dated 09.10.2020, passed by the first respondent, is cryptic and no reason with reference to the Health Insurance Scheme has been assigned.



2. The petitioner is working as Inspector of Assessment in the respondent - TANGEDCO. His wife was suffering from neck pain and she took treatment at Hannah Joseph Hospital at Madurai. The petitioner submitted an application for medical reimbursement as he is eligible for the same under the Health Insurance Scheme. However, the first respondent rejected the claim of the petitioner by merely stating that as per the Board Regulations, the petitioner is not entitled to.

3. This Court is of the opinion that any such application for medical reimbursement must be considered on merits and in accordance with law and reasons must be assigned for rejection of such claims. A perusal of the impugned order reveals that no such reason is furnished by the first respondent, contrarily, it is stated that the claim of the petitioner is rejected as per the Board Regulations. The ground on which the claim application was rejected has not been stated in the impugned order. Hence, this Court is inclined to remand the matter back to the first respondent for fresh consideration.

4. Accordingly, the writ petition is allowed and the impugned order dated 09.10.2020, passed by the first respondent, is quashed. The matter is remanded back to the file of the first respondent for fresh consideration. The petitioner is at liberty to submit a copy of the application along with medical bills to the first respondent, along with a copy of this order, within a period of two weeks from the date of receipt of a copy of this order. On receipt of such application, the first respondent is directed to consider the same and decide the issues on merits and in accordance with the Health Insurance Scheme applicable to the employees of the TANGEDCO and pass speaking orders by assigning reasons for the decision to be taken, within a period of eight weeks thereafter. No costs.

Sd/-

Deputy Registrar (LA & MC)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Krk

To

1.The Superintending Engineer,
Tamil Nadu Generation and
Distribution Corporation Limited(TANGEDCO),
Dindugul



2.The Assistant Electricity Engineer,
Tamil Nadu Generation and
Distribution Limited (TANGEDCO),
Seluvathur
Dindugul

+1 CC to M/s.S.A.AJMAL KHAN, Advocate (SR-9540[F] dated
02/03/2022)

+1 CC to M/s.A.SHAJAHAN, Advocate (SR-9354[F] dated 01/03/2022)

W.P. (MD) No.7217 of 2021
28.02.2022

MGJ(16.03.2022) 3P 5C