



W.P.(MD)No.8284 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.08.2022

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THE HONOURABLE **MR. JUSTICE M.S.RAMESH**

W.P.(MD)No.8284 of 2022

and

W.M.P.(MD)No.6159 of 2022

R.Velmurugan

... Petitioner

/Vs./

- 1.The Principal Secretary to Government of Tamil Nadu,
Health and Family Welfare Department,
Secretariat, Fort St. George,
Chennai 600 009.
- 2.The Additional Chief Secretary to Government of Tamil Nadu,
Finance (Salaries) Department, Secretariat,
Fort St. George, Chennai 600 009.
- 3.The District Collector,
Karur District, Karur.
- 4.The District Treasury Officer,
District Treasury Office,
Karur District, Karur.
- 5.M/s.MD India Health Insurance TPA Pvt. Ltd.,
Rep. by its Assistant General Manager,
Guna Complex, New Door No. 443 and 445,
Old No. 304 and 305,
Anna Salai, Teynampet,
Chennai – 600 018.



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6.The Joint Director of Medical and
Rural Health Services Department,
Karur District.

...Respondents

(R6 is suo-motu impleaded vide order of this Court, dated 29.08.2022.)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order GTM200/07/2021 dated 13.07.2021 on the file of the 5th respondent and quash the same as illegal and consequently directing the respondents to reimburse the medical expenses incurred for the medical treatment undergone by the petitioner's father namely, Mr.V.Ramasamy to a tune of Rs.5,29,811/- with interest under the Government Employees New Insurance Scheme-2016, based on the petitioner's representation dated 21.04.2022 within the time limit that may be stipulated by this Court.

For Petitioner : Mr.S.Sivaprakash

For Respondents : Mr.M.Siddharthan

Additional Government Pleader (for R1 to R4 & R6)

: Mr.A.Shajahan (for R5)

ORDER

The petitioner herein, who is the member of the New India Health Insurance Scheme, claims to have taken treatment in Kauvery Hospital, Trichy, for Triple Vessel Disease and his claim for medical expenses has not been considered positively and hence, the present writ petition.



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2.The claim for medical reimbursement by the petitioner herein is governed under the Government Order in G.O.Ms.No.202, Finance (Salaries) Department, dated 30.06.2016. As per the aforesaid GO, any grievance with regard to non-disbursement of the medical reimbursement shall be submitted to the Joint Director of Medical and Rural Health Services Department of the District concerned for placing the same before the District Level Empowered Committee (hereinafter referred to as “DLEC” for brevity), which is the Committee constituted by the Government headed by the District Collector, having the Joint Director of Medical and Rural Health Services Department, the District Treasury Officer and an official representative of the Insurance Company as members. Therefore, the Joint Director of Medical and Rural Health Services Department, Karur District, is suo-motu impleaded as 6th respondent.

3.In the instant case, the respondents claim that such claim was not made before the Joint Director of Medical and Rural Health Services Department of the District concerned for the purpose of placing the same before the DLEC.

4.In this background, no interference is required in the impugned order dated 13.07.2021. Consequently, the petitioner is granted liberty to file a claim



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petition, before the Joint Director of Medical and Rural Health Services

Department of the District concerned, who has been impleaded as 6th

respondent herein, who shall place the same before the DLEC for redressal of

the petitioner's grievances. The DLEC shall consider the claim of the petitioner

atleast, within a period of four (4) weeks from the date of receipt of the claim

petition. This Writ Petition stands disposed of accordingly. There shall be no

order as to costs. Consequently, connected Miscellaneous Petition is closed.

29.08.2022

Index : Yes / No

Internet : Yes/ No

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To:

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- 5.The Joint Director of Medical and
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M.S.RAMESH, J.

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