



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.9696 of 2021

N.Poomani

... Petitioner

vs.

1.The Government of Tamil Nadu
rep.by its Secretary
Finance (Pension) Department
Fort St.George, Chennai-600 009

2.United India Insurance Company Ltd.,
rep.by its Divisional Manager
Divisional Office, VI, Vth Floor
P.L.A.Rathna Towers
212, Anna Salai, Chennai-600 006

3.The Joint Director
Joint Director of Medical and
Rural Health Services at Nagercoil
Kanyakumari District

4.The District Collector
Kanyakumari District
District Level Empowered Committee
Nagercoil-629 001, Kanyakumari District

5.The District Treasury Officer
District Treasury Office
Nagercoil-629 001
Kanyakumari District

... 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 to the impugned order passed by the 2nd respondent vide letter dated 04.11.2020 which is communicated by the 5th respondent in his proceedings in Rc.No.21977/2015-2019 (43)/L2 dated 04.12.2020 and to quash the same and further issue necessary direction to the 1st respondent to give medical reimbursement for a sum of Rs.56,979/- (Rupees fifty six thousand nine hundred and seventy nine only) as medical expenses within a time stipulated by this Court.

For Petitioner : Mr.Balakrishnan.G.

For Respondents : Mr.A.K.Manikkam

Special Government Pleader for R1, R3 to R5

Mr.A.Shajahan for R2



O R D E R

The order of rejection rejecting the claim of the petitioner for medical reimbursement is under challenge in this writ petition.

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2. The petitioner is a retired Teacher and she underwent medical treatment. She submitted application for medical reimbursement. The said application was rejected by second respondent on the ground that the patient admitted with the diagnosis of vault prolapse and underwent lap sacrocolpopexy and the said diagnosis and line of management is not covered under the scheme as per the Government Order in G.O.Ms.No.222, Finance (Salaries) Department, dated 30.06.2018, issued by the Government of Tamil Nadu.

3. With reference to the above reason stated in the impugned order, if the treatment underwent is not covered under the Scheme, then the Government has provided a facility to submit application under the Tamil Nadu Medical Attendance Rules for medical reimbursement. Therefore, the petitioner is at liberty to submit a fresh application for considering her case in accordance with the said Rules. As far as the impugned order is concerned, it does not suffer from any infirmity.

4. With the above liberty, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CRL)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To:

- 1.The Secretary,
Finance (Pension) Department,
Government of Tamil Nadu,
Fort St.George,
Chennai-600 009.
- 2.The Divisional Manager
United India Insurance Company Ltd.,
Divisional Office, VI, Vth Floor
P.L.A.Rathna Towers
212, Anna Salai, Chennai-600 006



3.The Joint Director,
Joint Director of Medical and
Rural Health Services at Nagercoil,
Kanyakumari District.

4.The District Collector,
Kanyakumari District,
District Level Empowered Committee,
Nagercoil-629 001,
Kanyakumari District.

5.The District Treasury Officer,
District Treasury Office,
Nagercoil-629 001,
Kanyakumari District.

+1 CC to M/s.SPL GP (SR-9241[F] dated 01/03/2022)

W.P. (MD) No.9696 of 2021
28.02.2022

NSN (CO)
KB(10.03.2022) 3P 7C