



W.P.(MD)No.8758 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 29.08.2022

CORAM

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

W.P.(MD)No.8758 of 2022

Pandiyan

... Petitioner

/Vs./

1.The District Collector,
Madurai District,
Madurai.

2.The District Treasury Officer,
Collectorate,
Madurai.

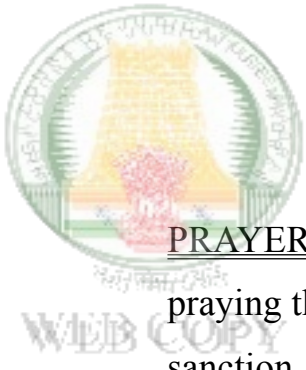
3.The United India Insurance Company,
Represented by its Divisional Manager,
No.52, South Masi Street,
Madurai – 625 001.

4.Apollo Hospital,
Anna Nagar,
Madurai.

5.The Joint Director of Medical and
Rural Health Services Department,
Madurai District.

...Respondents

(R5 is suo-motu impleaded vide order of this Court, dated 29.08.2022.)



W.P.(MD)No.8758 of 2022

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st Respondent to sanction the medical reimbursement amount of Rs.10,35,000/- (Rupees Ten Lakhs Thirty Five Thousand), to the petitioner, based on the petitioner's representation dated 12.04.2022.

For Petitioner : Mr.A.Rajaram

For Respondents : Mr.M.Siddharthan

Additional Government Pleader (for R1, R2 & R5)

: Mr.C.Karthik (for R3)

: Mr.Suresh Kumar Isaac Paul (for R4)

ORDER

The petitioner herein, who was working as the Inspector of Police under the Tamil Nadu Government, is a member of the New Health Insurance Scheme and his wife claims to have taken treatment for Mouth Cancer in the fourth respondent Hospital and his claim for medical expenses has not been considered positively and hence, the present writ petition.

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



W.P.(MD)No.8758 of 2022

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, Madurai District, is suo-motu impleaded as 5th 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, the petitioner is granted liberty to file a claim petition, before the Joint Director of Medical and Rural Health Services Department of the District concerned, who has been impleaded as the fifth 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



W.P.(MD)No.8758 of 2022

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.

29.08.2022

Index : Yes / No
Internet : Yes/ No
sm



W.P.(MD)No.8758 of 2022

To:

WEB COPY

- 1.The District Collector,
Madurai District,
Madurai.
- 2.The District Treasury Officer,
Collectorate,
Madurai.
- 3.The Joint Director of Medical and
Rural Health Services Department,
Madurai District.



WEB COPY



W.P.(MD)No.8758 of 2022

M.S.RAMESH, J.

sm

W.P.(MD)No.8758 of 2022

29.08.2022