



W.P.(MD).No.11233 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.08.2022

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THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.(MD).No.11233 of 2020

K.Perumal Pillai

... Petitioner

/Vs./

1.The Chairman/Finance Director,
Pensioner Health Welfare Fund,
TWAD Board, Chepauk,
Chennai.

2.The Superintendent Engineer,
TWAD Board,
Tirunelveli-Kanyakumari Circle,
Tirunelveli.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent to sanction the additional claim of Rs.1,00,000/- for medical reimbursement to the petitioner based on notification B.P.Ms.No.7, dated 14.03.2018 passed by the TWAD Board and disburse the same.

For Petitioner : Mr.P.Thirumahilmaran

For Respondents : Mr.B.Vijayakarthiskeyan

Standing Counsel (for R2)



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ORDER

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The petitioner is the pensioner of the respondent Board and is covered under the New Health Insurance Scheme, 2014. He now claims that additional medical reimbursement of Rs.1,00,000/- for the treatment undergone by him for Coronary Artery Disease for the period between 27.03.2018 and 03.04.2018 at Apollo Hospital, Chennai.

2.Under B.P.Ms.No.7, TWAD (PHF) Section, dated 14.03.2018, the pensioner is eligible for the maximum medical reimbursement of Rs.2,00,000/-. It is not in dispute that the petitioner had already received a sum of Rs.1,00,000/- towards medical reimbursement and therefore, now claims for additional medical reimbursement of Rs.1,00,000/-.

3.While the learned counsel appearing for the petitioner submitted that the petitioner is covered under B.P.Ms.No.7, TWAD (PHF) Section, dated 14.03.2018, for the treatment undertaken by him between 27.03.2018 and 03.04.2018, the learned Standing Counsel appearing for the second respondent submitted that the petitioner was not paid enhanced subscription of Rs.300/-.



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4. When the treatment undertaken by the petitioner was immediately after issuance of the Board proceedings under B.P.Ms.No.7, TWAD (PHF) Section, dated 14.03.2018, the petitioner cannot expect the Board to pay the enhanced subscription within a period of two weeks. However, if the eligible additional reimbursement amount of Rs.1,00,000/- is directed to be reimbursed to the petitioner, after calculating the additional subscription of Rs.300/-, to be paid, the ends of justice could be secured.

5. Since the entitlement of the petitioner to claim Rs.2,00,000/- towards the entire medical expenses as reimbursement for the expenses incurred by him is not in dispute, there shall be a direction to the respondent Board to forthwith release the additional claim of Rs.1,00,000/- (Rupees One Lakh only) for medical reimbursement, to the petitioner, based on the proceedings in B.P.Ms.No.7, dated 14.03.2018 passed by the TWAD Board and disburse the same, within a period of four (4) weeks from the date of receipt of a copy of this order.



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6. Accordingly, this Writ Petition is allowed. There shall be no order as to costs.

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Index : Yes / No
Internet : Yes/ No
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TO:

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M.S.RAMESH, J.

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