



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.12911 of 2021

WEB COPY

Vijayakumar

... Petitioner

vs.

1.The District Collector
Office of the District Collector
Madurai-625 020

2.The Commissioner
Madurai Corporation
Madurai-625 002

3.The Joint Director
Medical and Rural Health Service
Villanaisalai
District T.P.Center
Usilampatti
Madurai-625 532

4.The Manager
M/s.M.D.India Health Insurance
(United India Insurance Co. Ltd.,)
TPA PVT Ltd.,
Old No.304 to 306, New No.443 to 445
Guna Complex, Anna Salai
Thenampettai, Chennai-600 018

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondents to take appropriate action to reimburse the medial expenses and insurance amount to petitioner on the bases of the communication issued by the respondent No.2 in B11/008636/2020, dated 11.11.2020 in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.Alagumani.R.

For Respondents : Mr.N.Satheesh Kumar
Additional Government Pleader for R1 & R3
Mr.T.S.Mohammed Mohideen for R2
Mr.A.Shajahan for R4



O R D E R

The petitioner admittedly is the member of the Health Insurance Scheme. He underwent certain medical treatments and accordingly, he submitted an application for reimbursement of the medical expenditures incurred by him. Though the claim of the petitioner was initially rejected by the Insurance Company, it was subsequently considered and recommended by the Assistant Commissioner of Madurai Corporation to the Joint Director of Medical and Rural Health Service, who is the Member of the District Level Empowered Committee.

2. When the matter has been referred to the District Level Empowered Committee with due recommendation, it is to be considered in accordance with the Health Fund Scheme. In the present case, it is not made clear whether the District Level Empowered Committee has passed orders or not.

3. This being the factum, the petitioner is directed to submit a copy of the claim application along with relevant documents 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 the same, the first respondent, who is the Chairman of the Committee, is directed to place the papers before the District Level Empowered Committee and decide the issue and pass orders on merits and in accordance with law, within a period of eight weeks thereafter.

4. Accordingly, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

krk

To:

- 1.The District Collector,
Office of the District Collector, Madurai-625 020.
- 2.The Joint Director,
Medical and Rural Health Service,
Villanaisalai,
District T.P.Center, Usilampatti, Madurai-625 532.



3.The Commissioner
Madurai Corporation
Madurai-625 002.

+1 CC to M/s.SPL GP (SR-9220[F] dated 01/03/2022)

+1 CC to M/s.T.S.MOHAMED MOHIDHEEN, Advocate (SR-9482[F] dated 02/03/2022)

+1 CC to M/s.A.SHAJAHAN, Advocate (SR-9353[F] dated 01/03/2022)

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RD(10.03.2022) 3P 7C