



W.P.(MD) No.12588 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.07.2022

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THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.12588 of 2022

S.Rajarajan

... Petitioner

Vs.

**1.The Additional Chief Secretary,
Finance (Health Insurance) Department,
Secretariat,
Chennai – 600 009.**

**2.The Commissioner of Treasuries and Accounts,
3rd Floor, Anbazhagan Maaligai,
No.571, Anna Salai,
Nandanam,
Chennai – 600 035.**

... Respondents

PRAYER : Writ petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the second respondent i.e., the Commissioner of Treasuries and Accounts, Chennai, to take immediate action to disburse the medical claim of the petitioner as per the instructions of the Government in Letter No.10360/Finance (H.I-1)/2022-1 dated 09.05.2022 and further specific directions issued in G.O.Ms.No.165, Finance (Health



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Insurance), Department, dated 01.06.2022, within a specific time frame, that may be fixed by this Court.

For Petitioner : Mr.S.Viswalingam

For Respondents : Mr.M.Siddharthan
Additional Government Pleader

ORDER

The petitioner herein seeks for issuance of writ of Mandamus, directing the respondents for disbursing the mediclaim of the petitioner in connection with his treatment for the expenses incurred in the treatment of Covid-19 virus infection.

2.The Government, in G.O.Ms.No.165, Finance [Health Insurance] Department dated 01.06.2022, had accepted the proposals of the Commissioner of Treasuries and Accounts for reimbursement of expenses incurred for COVID-19 cases. The relevant portion of the aforesaid Government Order is extracted hereunder:

“8. The Government after careful examination of the proposal of Commissioner of Treasuries and Accounts, have decided to accept the same and accordingly issue the following orders:-



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(i) Sanction is accorded for an adhoc amount of Rs.10.00 crore (Rupees ten crore only) to clear the claims of the eligible expenses incurred by the Government Employees and their eligible family members and Pensioners (including spouse) / Family Pensioners under Non-Critical COVID care treatment undertaken in Non-Network hospitals by creating two Corpus Funds one for Rs.6.00 crore [Rupees six crore only] for Pensioners (including spouse) / Family Pensioners and Rs.4.00 crore [Rupees four crore only] for Government Employees and their eligible family members considering the welfare of the Employees/ Pensioners. There shall be no change in the existing modalities followed in respect of reimbursement claims settled by United India Insurance Company Limited from the funds released by Government under these Corpus Fund.

(ii) Government Employees/Pensioners who have already taken treatment for Non-Critical COVID care in Non-empanelled Hospitals from 01.03.2020 till date are directed to submit their claims for to reimbursements by applying to the Commissioner of Treasuries and Accounts, Chennai. The Commissioner of Treasuries and Accounts shall forward the



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applications along with documents to the United India Insurance Company Limited to reimburse the eligible amount from the Corpus Fund provided by the Government as is followed as per the G.Os first and second read above without reference to the District Level Empowered Committee.”

3. In view of the aforesaid Government Order, the petitioner's claim for reimbursement of the expenses incurred for treatment of the Covid-19 virus infection in a non-network hospital is permissible.

4. Accordingly, the petitioner is granted liberty to re-submit his application to the respondents herein and on receipt of such application, the respondents shall reimburse the eligible amount incurred by the petitioner in accordance with G.O.Ms.No.165, Finance [Health Insurance] Department dated 01.06.2022, within a period of four (4) weeks from the date of receipt of a copy of this order.



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WEB COPY 5. With the above directions, this Writ Petition stands allowed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

19.07.2022

Index : Yes / No
Speaking Order/ Non Speaking Order
TM

To

1. The Additional Chief Secretary, Finance (Health Insurance) Department,
Secretariat, Chennai – 600 009.
2. The Commissioner of Treasuries and Accounts,
3rd Floor, Anbazhagan Maaligai, No.571, Anna Salai,
Nandanam, Chennai – 600 035.



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M.S.RAMESH,J.

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