



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.13763 of 2021

WEB COPY

K.Anbarasan

... Petitioner

vs.

1.The District Collector
Dindigul District

2.The Joint Director of Medical and
Rural Welfare Service
Dindigul District

3.The Divisional Officer
United India Insurance Company
5th Floor, PLA Rethinam Towers
212, Anna Salai
Chennai-600 004

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of certiorari call for records in Na.Ka.No.5250/2020/F2, dated 16.07.2021, on the file of the 1st respondent, and quash the same as illegal. Further directing to the respondents to reimburse the medical expenditure of Rs.2,64,327/- with interest at the rate of 9% per annum forthwith.

For Petitioner : Mr.Kumar.S.

For Respondents : Mr.N.Satheesh Kumar

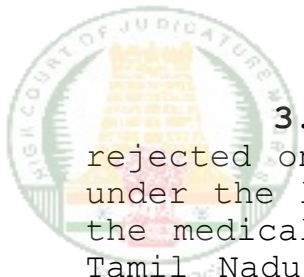
Additional Government Pleader for R1 & R2

Mr.A.Shajahan for R3

O R D E R

The order dated 16.07.2021, passed by the first respondent, rejecting the claim of the petitioner for medical reimbursement, is under challenge in this writ petition.

2. The reason for rejection for the petitioner's claim is that the diagnosis of amelo blastoma of left mandible and the line of management is not covered under the Health Fund Scheme. Therefore, the claim of the petitioner was rejected under the terms and conditions of G.O.Ms.No.202, Finance (Salaries) Department, dated 30.06.2016.



3. In cases, where the medical reimbursement claim was rejected on the ground that the treatment undergone is not covered under the list of approved treatments in the Government Order, then the medical reimbursement application is to be submitted under the Tamil Nadu Medical Attendance Rules. The procedures contemplated under the Health Fund Scheme is entirely different wherein the Insurance Company is liable to settle the claims. When the case of the petitioner and the treatment undergone is not falling under the list of treatments covered by the Health Fund Scheme, then the petitioner has to approach the Authority competent under the Tamil Nadu Medical Attendance Rules. This being the factum, this Court does not find any infirmity in the order impugned in this writ petition. However, the petitioner is at liberty to approach the Authority competent under the Tamil Nadu Medical Attendance Rules for the purpose of claiming medical reimbursement.

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

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

krk

To:

1.The District Collector,
Dindigul District.

2.The Joint Director of Medical and
Rural Welfare Service,
Dindigul District.

+1 CC to M/s.S.KUMAR, Advocate (SR-9560[F] dated 02/03/2022)

+1 CC to M/s.A.SHAJAHAN, Advocate (SR-9358[F] dated 01/03/2022)

+1 CC to M/s.SPL GP (SR-9223[F] dated 01/03/2022)

W.P. (MD) No.13763 of 2021

28.02.2022

MA (CO)

GC(11.03.2022) 2P 6C

<https://hcservices.ecourts.gov.in/hcservices/>