



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.15299 of 2021

and

W.M.P. (MD) No.12191 of 2021

WEB COPY

S.Rengarajan

... Petitioner

vs.

1.The District Collector
Trichirappalli District, Trichirapalli.

2.The Regional Manager
United India Insurance Company
Anna Salai, Chennai-600 006

3.The Treasury Officer
District Treasury
Trichy

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of certiorarified mandamus calling for the entire records pertaining to the impugned order passed by the 2nd respondent in letter No.J3/18656/2020 dated 24.08.2020 and quash the same and consequently direct the 2nd respondent to reimburse the medical claim for the prostate surgery and treatment undergone by the petitioner from 03.06.2019 to 06.06.2019 at the Apollo Hospital, Bangalore.

For Petitioner : Mr.Saravanan.M.

For Respondents : Mr.A.K.Manikkam
Special Government Pleader for R1 & R3
Mr.A.Shajahan for R2

O R D E R

The order dated 24.08.2020, passed by the second respondent, rejecting the claim of the petitioner for medical reimbursement, on the ground that the patient admitted with the diagnosis of bladder calculi & BPH and underwent bipolar TURP with cystolithouripsy in a non-network hospital and the said diagnosis and line of management is not an emergency and the said claim cannot be considered as per G.O.222, dated 30.06.2018.

2. In respect of the cases, where treatment was undergone in a non-network hospital and the treatment is also not listed in the approved list, then the applicant is not eligible for medical reimbursement.



3. In the present case, the District Level Empowered Committee has rejected the claim of the petitioner on the ground that both the hospital and the treatment underwent are not covered under the Health Fund Scheme. In such circumstances, if the petitioner is of the opinion that his case is falling under the Health Fund Scheme, he has to approach the State Level Empowered Committee by way of appeal for the purpose of redressal of his grievance.

4. This being the factum, the petitioner is at liberty to approach the State Level Empowered Committee by way of appeal to establish his case along with records, if any. If any such appeal is filed, it is for the State Level Empowered Committee to decide the issue on merits and in accordance with law as expeditiously as possible.

5. Accordingly, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CRL)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To:

- 1.The District Collector,
Trichirappalli District, Trichirapalli.
- 2.The Regional Manager,
United India Insurance Company,
Anna Salai, Chennai-600 006.
- 3.The Treasury Officer,
District Treasury, Trichy.

+1 CC to M/s.A.SHAJAHAN, Advocate (SR-9356[F] dated 01/03/2022)
+1 CC to M/s.SPL GP (SR-9255[F] dated 01/03/2022)

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RD(10.03.2022) 2P 6C