



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.01.2022

CORAM :

THE HON`BLE MR.JUSTICE B.PUGALENDHI

W.P(MD) No.16115 of 2021

and

W.M.P(MD)No.12982 of 2021

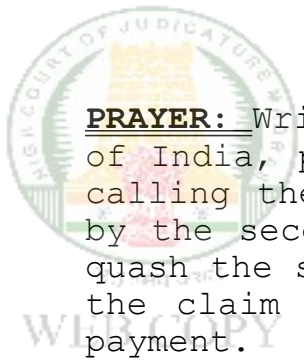
R.Muniyandi

Petitioner

Vs.

- 1.The State of Tamil Nadu,
Rep. by its Secretary to the Government,
Finance Department,
Secretariat,
Fort St.George, Chennai - 600 009.
- 2.The District Collector,
O/o. The District Collector,
Madurai District.
- 3.The Joint Director of Medicine & Rural Welfare Service,
O/o. The Joint Director of Medicine & Rural Welfare Service,
Madurai.
- 4.The United India Insurance Co. Ltd.,
Rep. by its Divisional Manager,
Divisional Manager VI,
PLA Rathna Towers,
5th Floor, No.212,
Anna Salai, Chennai - 600 006.
- 5.The Commissioner of Police,
O/o. The Commissioner of Police, Madurai.
- 6.High Level Empowered Committee,
Secretary to the Government,
Health and Family Welfare Department,
Secretariat,
Fort St.George,
Chennai - 600 009.

Respondents



PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus calling the entire records pertaining to the impugned order passed by the second respondent vide Ref.No.5/51096/2016 dated 01.05.2019, quash the same and consequently, directing the respondents to settle the claim of the petitioner along with interest till the date of payment.

For Petitioner :Mr.Niranjana S.Kumar

For Respondents :Mr.S.Shaji Bino
Special Government Pleader
for R.1 to R.3, R.5 & R.6

Mr.A.Shajahan for R.4

O R D E R

The petitioner before this Court is working as a Police Constable (Grade II) in the Tamil Nadu Police Department from 31.10.1997. He is a subscriber to the Government of Tamil Nadu New Health Insurance Scheme and is paying the monthly subscriptions regularly. On 27.08.2017, his wife suffered a chest pain and was admitted in Apollo Speciality Hospital, KK Nagar, Madurai, at about 00.30 hours (midnight), which is a recognized and approved Hospital. On the same day, his wife passed away due to 'CARDIO RESPIRATORY ARREST, SEPSIS AND CARCINOMA RIGHT BREAST' at the Hospital.

2.The petitioner, thereafter, has made an application for reimbursement of the medical expenses, by enclosing the original bills and other records. His application was duly forwarded by the fifth respondent / Commissioner of Police to the fourth respondent / Insurance Company vide proceedings dated 16.03.2018. The second respondent, vide the impugned order, has communicated to the petitioner that his claim petition has been returned for want of original bills by the Insurance Company. Hence, he is before this Court.

3.Learned Counsel appearing for the fourth respondent / Insurance Company submits that the petitioner's wife took treatment in a network Hospital and that the petitioner's claim would be considered, however, on production of original bills.

4.Learned Counsel appearing for the petitioner disputes the same and submits that the original bills have already been submitted to the fifth respondent / Commissioner of Police, who, in turn, has also forwarded them to the fourth respondent / Insurance Company.

5.Be that as it may, this Court is not in a position to accede to the stand taken by the fourth respondent / Insurance Company. Admittedly, the petitioner's wife took treatment in a network



Hospital, with whom, the Insurance Company is having a connection. Therefore, the Insurance Company, if at all is having any doubts on the bills, can very well call for the bills from the Hospital, which the Hospital would otherwise maintain, verify the same and then disburse the amount.

WEB COPY

6. In such view of the matter, this writ petition is disposed of with a direction to the petitioner to submit a copy of the medical bills to the fourth respondent within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the fourth respondent shall ascertain the same from the Hospital and process the petitioner's application and settle the amount within a further period of four weeks therefrom. There shall be no order as to costs. Consequently, connected miscellaneous petition shall stand closed.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

gk

Note:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Secretary to the Government,
State of Tamil Nadu,
Finance Department,
Secretariat,
Fort St. George, Chennai - 600 009.
2. The District Collector,
O/o. The District Collector,
Madurai District.



3.The Joint Director of Medicine & Rural Welfare Service,
O/o. The Joint Director of Medicine & Rural Welfare Service,
Madurai.

4.The Divisional Manager VI,
O/o The United India Insurance Co. Ltd.,
PLA Rathna Towers,
5th Floor, No.212,
Anna Salai, Chennai - 600 006.

5.The Commissioner of Police,
O/o. The Commissioner of Police, Madurai.

6.The Secretary to the Government,
High Level Empowered Committee,
Health and Family Welfare Department,
Secretariat,
Fort St.George,
Chennai - 600 009.

+1 CC to M/s.A.SHAJAHAN, Advocate (SR-834[F] dated 07/01/2022)

+1 CC to M/s.NIRANJAN S KUMAR, Advocate (SR-869[F] dated 07/01/2022)

Order made in
W.P(MD) No.16115 of 2021
06.01.2022

MK(05.03.2022) 4P 9C