



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.02.2022

CORAM

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.16645 of 2019
and
W.M.P. (MD) No.13277 of 2019

A.M.Sundaravel

... Petitioner

Vs.

- 1.The Principal Secretary,
Public Works Department (C2),
Secretariat, Government of Tamil Nadu,
Chennai-600 009.
- 2.The Director,
Star Health and Applied Insurance Company,
Medical Insurance Project,
Old No.64A, New No.2A,
Ganga Nagar, Kodambakkam,
Chennai-600 024.
- 3.The Director,
Medical and Urban Health Works,
Rajiv Gandhi Government Central Hospital,
Chennai-600 006.
- 4.The Principal Chief Engineer,
Public Works Department Water
Source Organization,
Chepauk, Chennai-600 005.
- 5.The Chief Engineer,
Public Works Department,
Water Source Organization,
Madurai Region, Madurai.
- 6.The Superintending Engineer,
Public Works Department,
Water Source Organization,
Special Project Taluk,
Tirunelveli-627 002.



7. The Executive Engineer,
PWD, Special Project Taluk,
Ambasamudram,
Tirunelveli District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned GO.(D).No.53 dated 26.02.2019 passed by the first respondent and to quash the same and consequently directing the first respondent to sanction a sum of Rs.45,327/- (Rupees Forty Five Thousand and Three Hundred Twenty Seven) as medical expenditure with interest which was spent by the petitioner during the treatment from 06.05.2011 to 18.12.2012.

For Petitioner : Mr.A.M.Sundaravel

For Respondent : Mr.M.Ramesh,
Government Advocate
for RR1, 3 to 6
No-appearance for R2

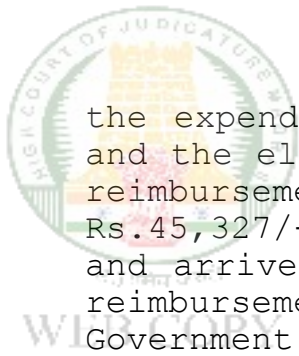
O R D E R

The order impugned passed by the first respondent in G.O.(D). No.53 dated 26.02.2019 is under challenge in the present Writ Petition. Further direction is sought for to direct the first respondent to sanction a sum of Rs.45,327/-.

2. The petitioner in person appeared and articulated his case by stating that he was working as a Work Inspector under the Public Works Department and he was retired from service under Voluntary Retirement scheme on 30.11.2018. On 06.05.2011, he met with an accident, while travelling in a two-wheeler. He fell down from his bike and sustained injuries. His right hand was fractured. The petitioner took treatment from 06.05.2021 to 11.05.2021 and undergone surgery. A plate was inserted in his hand to join fracture. The petitioner states that he sustained medical expenditure of Rs.45,327/- and submitted an application for reimbursement.

3. As far as the Health Scheme is concerned, the Government fixed the eligibility for reimbursement. It is not as if the entire expenditure is to be paid by the Government. The eligibility is prescribed under the Scheme and irrespective of the expenditure, the eligible amount alone will be reimbursed.

4. This Court is of the considered opinion that various hospitals are charging different charges for different treatments. More so, if a treatment is taken in a hospital in urban areas, charges are high and in rural areas, charges are less. Therefore,



the expenditure made by the member is not an aspect of the matter and the eligibility as per the Scheme alone is to be considered for reimbursement. The petitioner though suffered an expenditure of Rs.45,327/-, the Government considered the case as per the Scheme and arrived a decision that the petitioner is entitled for medical reimbursement claim of Rs.5,222/- under the Rules in-force. When the Government has considered the application and sanctioned eligible amount as per the Rules in-force, there is no reason whatsoever to interfere with the order impugned. The petitioner could not able to establish any acceptable ground for the purpose of interfering with the order impugned.

5. Accordingly, the Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (Records)

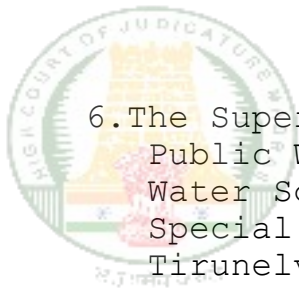
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Sub Assistant Registrar

To

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Chennai-600 009.
- 2.The Director,
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- 3.The Director,
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Chennai-600 006.
- 4.The Principal Chief Engineer,
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Source Organisation,
Chepauk, Chennai-600 005.
- 5.The Chief Engineer,
Public Works Department,
Water Source Organisation,
Madurai, Madurai.



6.The Superintending Engineer,
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Water Source Organisation,
Special Project Taluk,
Tirunelveli-627 002.

7. The Executive Engineer,
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Tirunelveli District.

+1 CC to M/s.SPL.GP (SR-4991[F] dated 09/02/2022)

W.P. (MD) No.16645 of 2019
08.02.2022

ssb
MS/21.02.2022/4P.9C