



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.02.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.18089 of 2021

V.Poongothai

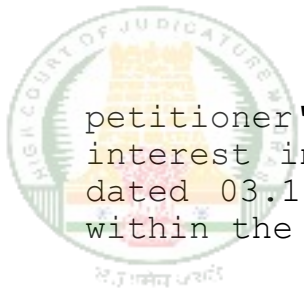
... Petitioner

Vs.

- 1.The Government of Tamil Nadu,
Rep.by its Secretary to Government,
Finance [Pension]Department,
Secretariat,
Chennai-600 009.
- 2.The District Collector cum
Chairman District Empowered Committee,
Tamil Nadu New Health Insurance Scheme,
Theni District,
Theni.
- 3.The Joint Director,
Medical and Rural Health Service,
District Head Quarters at Periyakulam,
Periyakulam,
Theni District.
- 4.The Treasury Officer,
District Treasury,
Theni District,
Theni.
- 5.The Commercial Tax Officer [FAC]
Periyakulam,
Theni-625 601.
- 6.The Divisional Manager,
United India Insurance Company Limited,
Divisional Office,
5th Floor, P.L.A.Rathina Towers,
212, Anna Salai,
Chennai-600 006.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the records on the file of the second and third respondents in connection with their impugned proceedings passed in O.Mu.12265/2021/E5 dated 21.05.2021 and in O.Mu.6599/Ma.Ku./2021 dated 20.05.2021 respectively and quash the both as illegal and arbitrary and consequently direct them to pass appropriate orders to reimburse the Medical expenses of Rs.7 00 000/- incurred for the



petitioner's husband left leg cellulitis and Jaundice treatment with interest in the ling of G.O.Ms.No.441 Finance (Pension) Department dated 03.12.2020 and based on her representation dated 26.04.2021 within the time limit that may be stipulated by this Court.

For Petitioner : Mr.M.Mohanasundaram
For Respondents : Mr.A.K.Manikkam,
Special Government Pleader
for RR1 to 5
Mr.A.Shajahan for R6

O R D E R

The order impugned is a communication issued by the Joint Director of Medical and Rural Health Service, returning the application submitted by the petitioner for medical claim on the ground that the claim petition is to be submitted through proper channel (i.e.,) Treasury Officer.

2. The said order would not provide a cause for the petitioner to file a writ petition. However, subsequent communication of the Assistant Treasury Officer, Theni, reveals that the petitioner has already re-presented the application before the Treasury Officer concerned, who in turn forwarded the medical claim application to the Joint Director of Health Services, .Periyakulam, Theni District.

3. Once the application submitted by the pensioner is forwarded, it is to be considered by the District Level Empowered Committee to ascertain the eligibility to settle the claim. The petitioner has submitted the claim on 26.04.2021 along with all the medical records. This being the factum, the second respondent is directed to place the application before the District Level Empowered Committee for consideration and taking a decision. The decision taken shall be communicated to the petitioner. The said exercise is directed to be done within a period of 12 weeks from the date of receipt of a copy of this order.

4. Accordingly, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



- To
- 1.The Secretary to Government,
Finance [Pension]Department,
Secretariat,
Chennai-600 009.
 - 2.The District Collector cum
Chairman District Empowered Committee,
Tamil Nadu New Health Insurance Scheme,
Theni District,
Theni.
 - 3.The Joint Director,
Medical and Rural Health Service,
District Head Quarters at Periyakulam,
Periyakulam,
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United India Insurance Company Limited,
Divisional Office,
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212, Anna Salai,
Chennai-600 006.

+1 CC to M/s.SPL GP (SR-9244[F] dated 01/03/2022)

+1 CC to M/s.M.MOHANASUNDARAM, Advocate (SR-9384[F] dated 01/03/2022)

+1 CC to M/s.A.SHAJAHAN, Advocate (SR-9359[F] dated 01/03/2022)

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