



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.02.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.18420 of 2021

A.Parameshwaran

... Petitioner

Vs.

The Commissioner of Treasuries and Accounts,
Integrated Finance Department Complex,
3rd Floor,
Veterinary Hospital Complex,
Nandanam,
Chennai-600 035.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondent i.e. the Commissioner of Treasuries and Accounts, Chennai to arrange to disburse the medical expenses of Rs.42,331/- (Rupees Forty Two Thousand Three Hundred and Thirty One Only) incurred by the petitioner under Medical Attendance Rules as per the directions of the State Level Empowered Committee in O.Mu.No.2489/Kapil/2020 dated 22.04.2021 within a specified time frame that may be fixed by this Court.

For Petitioner : Mr.S.Visvalingam

For Respondents : Mr.N.Satheesh Kumar
Additional Government Pleader

O R D E R

The relief sought for in the present writ petition is to direct the respondent to disburse the medical expenses of Rs.42,331/- (Rupees Forty Two Thousand Three Hundred and Thirty Three Rupees Only) incurred by the petitioner under the Tamil Nadu Medical Attendance Rules, as per the directions of the State Level Empowered Committee in proceedings dated 22.04.2021.

2. The petitioner was serving as Village Administrative Officer and he retired from service on 31.05.2005. He was admitted in Apollo Hospital, Madurai on 10.06.2019 and underwent certain treatments. The petitioner submitted an application for medical reimbursement which was not considered initially and subsequently, the matter went upto the State Level Empowered Committee. The State Level Empowered



Committee categorically recommended the case of the writ petitioner by stating that the treatment was taken in a network hospital under the emergency situation and the treatment is not covered under the Scheme. However, the claim of the writ petitioner is recommended by the Committee under the Tamil Nadu Medical Attendance Rules, as per the guidelines issued by the Government.

3. In respect of the cases where the claim is not falling under the New Health Insurance Scheme, such cases are to be considered under the Tamil Nadu Medical Attendance Rules, as per the Government Policy. The case of the petitioner though was not considered under the New Health Insurance Scheme, it was considered under the Tamil Nadu Medical Attendance Rules by the State Level Empowered Committee. Once the State Level Empowered Committee recommended the case of the writ petitioner, considering the emergency situation, the said amount is to be settled in favour of the petitioner. Under the New Health Insurance Scheme, the State Level Empowered Committee is the Appellate Forum which has been constituted for the purpose of resolving the disputes. Therefore, there is no reason whatsoever to delay the settlement for medical reimbursement to the writ petitioner. In view of the facts and circumstances, the respondent is directed to settle the medical reimbursement claim of the writ petitioner within a period of eight weeks from the date of receipt of a copy of this order.

4. Accordingly, the Writ Petition stands allowed. No costs.

Sd/-

Assistant Registrar (As)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

ssb

To

The Commissioner of Treasuries and Accounts,
Integrated Finance Department Complex,
3rd Floor,
Veterinary Hospital Complex,
Nandanam,
Chennai-600 035.

+1 CC to M/s.SPL GP (SR-9198[F] dated 01/03/2022)

W.P.(MD) No.18420 of 2021

28.02.2022

MGJ(10.03.2022) 2P 3C

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