



W.P.(MD)No.5464 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.08.2022

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THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.(MD)No.5464 of 2018

and

W.M.P.(MD)No.5390 of 2018

N.Gopi

... Petitioner

/Vs./

- 1.The Director of Treasuries and Accounts,
Saidhapet,
Chennai – 16.
- 2.The Director of Medical and
Rural Health Services,
Directorate of Medical and Rural Health Services,
Anna Salai, Chennai.
- 3.The United India Insurance Company Limited,
Represented by its Divisional Manager,
Divisional Office VI,
P.L.A.Rathana Towers,
212, Anna Salai, Chennai – 6.
- 4.M/s.MD India Health Care Services (TPA) Private Ltd.,
Represented by its Branch Manager,
Chennai, having office at
Guna Complex,
New Door No.443 & 445,
Old Door No.304 & 305,
Anna Salai, Teynampet,
Chennai – 600 018.



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5.The District Collector,
Trichy,
Trichy District.

6.The Managing Director,
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Kumbakonam.

7.The General Manager,
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Trichy Region, Trichy.

8.The Treasury Officer,
Cantoment,
District Court Complex,
Trichy – 1.

9.The Joint Director of Medical and
Rural Health Services Department,
Trichy District.

...Respondents

(R9 is suo-motu impleaded vide order of this Court, dated 17.08.2022.)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the order passed by the 3rd respondent in Ref.No.Nil dated 05.02.2018 quash the same and consequently direct the respondents to reimburse the medical expenses incurred by the petitioner to the tune of Rs.1,32,905/- for the medical treatment undergone by him at Well Care Hospital, Trichy together with suitable rate of interest.



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For Petitioner : Mr.A.Rahul
For Respondents : Mrs.D.Farjana Ghoushia
Special Government Pleader (for R1, R5& R8)
: Mr.A.Shajahan (for R3)
: Mr.D.Sivaraman
Standing Counsel (for R6 & R7)
: No appearance (for R2 & R4)

ORDER

The petitioner herein, who is the employee of the Tamil Nadu State Transport Corporation, claims to have sustained fracture on his knee and had undergone surgery at Well Care Hospital and Research Institute, Trichy and his claim for medical expenses has not been considered positively and hence, the present writ petition.

2.The claim for medical reimbursement by the petitioner herein is governed under the Government Order in G.O.Ms.No.202, Finance (Salaries) Department, dated 30.06.2016. As per the aforesaid GO, any grievance with regard to non-disbursement of the medical reimbursement shall be submitted to the Joint Director of Medical and Rural Health Services Department of the



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District concerned for placing the same before the District Level Empowered Committee (hereinafter referred to as “DLEC” for brevity), which is the Committee constituted by the Government headed by the District Collector, having the Joint Director of Medical and Rural Health Services Department, the District Treasury Officer and an official representative of the Insurance Company as members. Therefore, the Joint Director of Medical and Rural Health Services Department, Trichy District, is suo-motu impleaded as 9th respondent.

3.In the instant case, the respondents claim that such claim was not made before the Joint Director of Medical and Rural Health Services Department of the District concerned for the purpose of placing the same before the DLEC.

4.In this background, the petitioner is granted liberty to file a claim petition, before the Joint Director of Medical and Rural Health Services Department of the District concerned, who shall place the same before the DLEC for redressal of the petitioner's grievances. The DLEC shall consider the claim of the petitioner atleast, within a period of four (4) weeks from the date of receipt of the claim petition. This Writ Petition stands disposed of accordingly. There shall be no order as to costs. Consequently, connected Miscellaneous



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Petition is closed.

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Index : Yes / No

Internet : Yes/ No

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- 2.The District Collector,
Trichy, Trichy District.
- 3.The Treasury Officer,
Cantoment,
District Court Complex, Trichy – 1.
- 4.The Joint Director of Medical and
Rural Health Services Department,
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M.S.RAMESH, J.

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