



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.02.2022

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.19531 of 2021

M.Sethuraman

... Petitioner

Vs.

1.The District Collector,
Office of the District Collector,
Madurai-625 020.

2.The Commissioner,
Madurai Corporation,
Madurai-625 002.

3.The Joint Director,
Medical and Rural Health Service,
Villanisolai,
District T.P. Center,
Uslaimpatti,
Madurai-625 532.

4.Manager,
M/s.M.D.India Health Insurance,
(United India Insurance Company Limited)
TPA Private Limited,
Old No.304 to 306, New Nos.443 to 445, Guna Complex,
Anna Salai, Thenampettai,
Chennai-600 018.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents to take appropriate action to reimburse the medical expenses and insurance amount to the petitioner in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.R.Alagumani

For Respondents : Mr.A.K.Manikkam
Special Government Pleader
for RR1 and 3
Mr.K.K.Kannan for R2
Mr.A.Shajahan for R4



O R D E R

The relief sought for in the present writ petition is to direct the respondents to take appropriate action in respect of the application submitted by the writ petitioner for medical reimbursement.

2. The petitioner is the member of the New Health Insurance Scheme and submitted an application under G.O.Ms.No.280, Finance [Salaries] Department dated 24.06.2020 for medical reimbursement. In respect of COVID-19 treatment, a separate Committee has been constituted by the Government in G.O.Ms.No.280, Finance [Salaries] Department, dated 24.06.2020, in which, the Managing Director of Tamil Nadu Medical Services Corporation is the Chairman and the Commissioner of Treasuries and Accounts, Joint Secretary to Government, Finance Department Director of Public Health are the members. As per the Government Order, the Committee constituted has to determine the ceiling rates for treatment of COVID-19 under the New Health Insurance Scheme for the employees and Pensioners.

3. In view of the fact that a separate Committee has been constituted for the purpose of deciding the eligibility for COVID-19 treatment, the petitioner has to approach the Competent Committee for the purpose of getting reimbursement of his medical expenditure for COVID-19 treatment. However, the petitioner has neither impleaded the Competent Committee nor submitted proper application before the Competent Committee which is empowered to decide the issues. Thus, the petitioner is at liberty to file an application before the Competent Committee under G.O.Ms.No.280 Finance [Salaries] Department, dated 24.06.2020, for the purpose of considering his case in accordance with the Government Order for COVID-19 treatment.

4. With this liberty, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (As)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

To

1.The District Collector,
Office of the District Collector,
Madurai-625 020.



2.The Commissioner,
Madurai Corporation,
Madurai-625 002.

3.The Joint Director,
Medical and Rural Health Service,
Villanaisalai,
District T.P. Center,
Uslaimpatti,
Madurai-625 532.

+1 CC to M/s.A.SHAJAHAN, Advocate (SR-9616[F] dated 02/03/2022)

+1 CC to M/s.K.K.KANNAN, Advocate (SR-9304[F] dated 01/03/2022)

+1 CC to M/s.SPL GP (SR-9254[F] dated 01/03/2022)

W.P.(MD) No.19531 of 2021

28.02.2022

MGJ(14.03.2022) 3P 7C