



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:19.04.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

Cont. P.(MD) No.1893 of 2021

A.Subramanian

... Petitioner/Petitioner

Vs.

1. M.K.Senthilraj,
District Collector,
Tuticorin District,
Tuticorin.

2. S.Subhashini,
Divisional Manager,
United India Insurance Company Ltd.,
Divisional Office VI,
PLA Rathina Towers, 5th Floor,.
No.212, Anna Salai,
Chennai.

3. R.Serandayan,
District Treasury Officer,
District Treasury,
Tuticorin District.

.. Contemnors/Respondents No.3, 4 & 7

Prayer: Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish the contemnors/3, 4 and 7 respondents herein for their deliberately and willful disobedience of the order of this Honourable Court dated 11.09.2020 in WP(MD)No.11430 of 2020 on the file of the Honourable Court under the contempt of Courts Act, 1971.

Prayer in WP(MD). 11430/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of certiorarified mandamus call for the records pertaining to the impugned rejection orders passed by the 7th respondent in Na.Ka.No.2827/2016/Ra3 dt 28.02.2019 and Na.Ka.No.32/2018 /Ra3 dt 06.02.2020 and quash the same as illegal and consequently direct the respondents to pay a sum of Rs.4Lakhs as reimbursement for medical expenses along with interest to the petitioner on the basis of his



representation dt 30.10.2019 within a time stipulated by this Honble Court.

For Petitioner : Mr.PR.Boomee Rajan

For R1 to R3 : Mr.N.Satheesh Kumar
Additional Government Pleader

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O R D E R

This Contempt Petition is filed to punish the respondents for their wilful disobedience of the order of this Court, dated 11.09.2020 passed in W.P(MD)No.11430 of 2020.

2.The operative portion of the order of this Court reads as under:

"10.In the result, the impugned order is quashed and the matter is remitted back to the respondents for re-consideration. While re-considering the same, whether there are any possibilities to get reimbursement from the 4th respondent Insurance company or if the conditions of the contract between the Government and the Insurance Company do not permit for such claim from the Insurance Company, the official respondents shall consider the same as indicated in the aforesaid order under Medical Attendance Rules, 1970 and accordingly, depending upon the eligibility of the petitioner for treatment or surgery undertaken by him under Medical Reimbursement Scheme, the medical reimbursement shall be sanctioned. The aforesaid exercise shall be undertaken by the official respondents, within a period of eight(8) weeks from the date of receipt of a copy of this order.

11.With this direction, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed."

3.Pursuant to the directions, remanding the matter back to the respondents for reconsideration. The respondents reconsidered the case of the writ petitioner and passed an order in G.O(Rt). No.470, Finance (Health Insurance-2) Department, 28.07.2021. Accordingly, the petitioner was sanctioned a sum of Rs.2 lakhs towards medical reimbursement claim.

4.The petitioner states that the said amount ie., Rs.2 lakhs, is not correct and the petitioner is entitled for more amount. Such adjudication cannot be entertained in a contempt petition and this Court remanded the matter back for reconsideration. The authorities have reconsidered positively and sanctioned a sum of Rs.2 lakhs towards medical reimbursement claim



and the said amount had already been transferred in the name of the petitioner in the bank account.

5.This being the factum, the respondents have not committed any contempt. Thus, the contempt petition stands closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1. M.K.Senthilraj,
District Collector,
Tuticorin District,
Tuticorin.

2. S.Subhashini,
Divisional Manager,
United India Insurance Company Ltd.,
Divisional Office VI,
PLA Rathina Towers, 5th Floor, .
No.212, Anna Salai,
Chennai.

3. R.Serandayan,
District Treasury Officer,
District Treasury,
Tuticorin District.

+1 CC to M/s.SPL.GP (SR-19931[F] dated 20/04/2022)

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RK(05/05/2022) 3P 5C