



W.P(MD)No.6935 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.10.2022

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD).No.6935 of 2017

Malliga,

: Petitioner

Vs

1. The Internal Audit Officer,
Pension Audit Branch,
NPKRR Maaligai- I Floor,
144, Anna Salai, Chennai-2

2. The United India Insurance Company Ltd.,
Chennai.

(*R2 is Impleaded

Vide Court Order dated 10.10.2022)

: Respondents

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 and quash the impugned order passed by the respondent in his Letter.No. 048718/5954-1/F.40/F.401/PPO.90432/2016, dated 14.12.2016, on the ground that the same is arbitrary, illegal and consequently directing the



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respondent to provide the medical reimbursement of Rs.1,27,928/- to the petitioner for the petitioner's physically challenged only one son's medical treatment within a time frame to be stipulated by this Court.

For Petitioner : Mr.M.Ramu

For R1 : Mr.S.Arivalagan

For R2 : Mr.A.Shajahan

ORDER

This writ petition had been filed for writ of Certiorarified Mandamus to quash the impugned order passed by the respondent in his Letter.No. 048718/5954-1/F.40/F.401/PPO.90432/2016, dated 14.12.2016, and consequently to direct the respondent to provide the medical reimbursement of Rs.1,27,928/- to the petitioner for the petitioner's physically challenged son's medical treatment.

2. Earlier this Court directed the petitioner to implead the United India Insurance Company Limited as second respondent to ascertain whether the petitioner is eligible under any scheme.



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3. The learned Counsel appearing for the second respondent submitted that the scheme is applicable for the pensioners covering the family members of the employee only from 01.11.2018. In the present case, the petitioner is seeking reimbursement for the medical treatment incurred during the month of May 2016. Since it is not covering under any scheme and the petitioner has not paid any premium for the period 2016, the second respondent company is not liable to pay any medical reimbursement.

4. The first respondent has refused to grant any medical reimbursement stating that the medical reimbursement would cover only the employee and the spouse. It is not covering the family members of the employee. Further he submitted that the spouse itself was included from the year 2010 through B.P. proceedings No.13, dated 18.12.2010 and thereafter there was periodically increase in premium covering the employee and the spouse alone. Thereafter TANGEDCO included the family members only through BP Proceedings No.162, dated 17.07.2021. Therefore, there is no provision to grant medical reimbursement to the petitioner's physically challenged son.

5. Since the family members are included from the year 2021, this



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Court is unable to grant any relief to the petitioner. However, the petitioner is directed to submit a representation to the Government and if there is any scheme available to support the physically challenged person, the Government shall consider the same and pass orders within a period of eight weeks from the date of receipt of a representation that would be submitted by the petitioner.

6. With the above direction, this writ petition stands dismissed. No costs.

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Index : Yes / No
Internet : Yes/ No
lr



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S.SRIMATHY, J.

lr

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