



W.P.(MD)No.11345 of 2016

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.10.2022

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.11345 of 2016

and

W.M.P.(MD)No.8702 of 2016

C.Alice Sornam

... Petitioner

vs.

- 1.The District Collector,
Tirunelveli District,
Tirunelveli.
- 2.The Joint Director (Health),
Medical and Rural Health Service,
Tirunelveli District @ Tenkasi,
Tirunelveli.
- 3.The Medical Officer- Claims
Star Health and Allied Insurance
Cooperative Limited,
Tamil Nadu Government Employees
New Health Insurance Scheme,
2nd Floor, No.8, New Tank Street,
Nungambakkam, Chennai – 34.



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4.The Assistant Vice President,
Start Health and Allied Insurance
Cooperative Limited,
Tamil Nadu Government Employees
New Health Insurance Scheme,
Old No.64A, New No.2A,
Ganga Nagar Road,
Opposite to BSNL Office,
Kodampakkam, Chennai – 24.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records relating to the impugned orders of the 3rd respondent, dated 06.10.2008 and 24.10.2008, the consequential order passed by the 4th respondent on 21.06.2010, in his proceedings Ref.Tangenhis/R-1134 and the final order passed by the 2nd respondent through his proceedings in A Thi Mu.No.4092-1/Ka5/2014, dated 22.09.2014, to quash the same and consequently, to direct the respondents herein to reimburse the medical expenses of Rs.1,19,958/- to the petitioner with interest.

For Petitioner	: Mr.L.Shaji Chellan
For R1 and 2	: M/s.D.Farjana Ghoushia Special Government Pleader
For R3 and 4	: Mr.S.Anwar Sameem

ORDER

This writ petition is filed for issuance of a writ of Certiorarified Mandamus, to call for the records relating to the impugned orders pf the 3rd respondent, dated



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06.10.2008 and 24.10.2008, the consequential order passed by the 4th respondent on 21.06.2010, in his proceedings Ref.Tangenhis/R-1134 and the final order passed by the 2nd respondent through his proceedings in A Thi Mu.No. 4092-1/Ka5/2014, dated 22.09.2014, to quash the same and consequently, to direct the respondents herein to reimburse the medical expenses of Rs.1,19,958/- to the petitioner with interest.

2.The petitioner is seeking medical reimbursement for the illness namely Vestibular Tumor. The contention of the 3rd and 4th respondents is that it is a non listed disease and the claim was dismissed by the District Empowered Committee. Therefore, the claim of the petitioner ought to be considered by the 2nd respondent under medical attendance rules.

3.Therefore, the petitioner is directed to submit the representation along with all original bills to the second respondent within a period of three weeks from the date of receipt of a copy of this order. Thereafter, the second respondent shall consider the claim of the petitioner under Medical Attendance Rules within



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a period of eight weeks thereafter and grant the benefits that are applicable to the petitioner.

4.With the above said observation, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Index : Yes / No
Internet : Yes

14.10.2022

Tmg

To

- 1.The District Collector,
Tirunelveli District,
Tirunelveli.
- 2.The Joint Director (Health),
Medical and Rural Health Service,
Tirunelveli District @ Tenkasi,
Tirunelveli.



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S.SRIMATHY, J

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Note:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

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