



W.P.(MD)No.892 of 2017

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.10.2022

CORAM

THE HONOURABLE MRS.JUSTICE **S.SRIMATHY**

W.P.(MD)No.892 of 2017

V. Gopalan

... Petitioner

vs.

1. The District Pensions,
DMS Complex,
Teynampet,
Chennai – 600 006.

2. The Director of Treasuries and Accounts,
Panagal Maligai, No.1, Cenis Road,
Saidapet, Chennai – 600 015.

3. The Treasury Officer,
District Treasury Office,
Collectorate Building,
Madurai.

... 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 proceedings of the order in Na.Ka.No. 163/1/2016/M1 dated 07.11.2016, on the file of the 3rd respondent and quash the same as illegal, incompetent and void and further direct the respondents to reimburse the petitioner, the medical



W.P.(MD)No.892 of 2017

WEB COPY

expenses incurred for a sum of Rs. 87,275/-(Rupees Eighty Seven Thousand Two Hundred and Seventy Five only) met by petitioner for his wife, under New Health Insurance Scheme for Tamil Nadu Government Pensioners (including Spouse/family Pensioners, 2014) to the petitioner within the time fixed by this Court.

For Petitioner : Mr.V.Raghavachari

For Respondents : M/s.Farjana Ghoushia
Special Government Pleader

ORDER

This Writ Petition is filed to quash the order, dated 07.11.2016 in Na.Ka.No. 163/1/2016/M1 passed by the 3rd respondent and also sought for a further direction to the respondents to reimburse the petitioner, the medical expenses incurred for a sum of Rs. 87,275/-(Rupees Eighty Seven Thousand Two Hundred and Seventy Five only) met by petitioner for his wife, under New Health Insurance Scheme for Tamil Nadu Government Pensioners (including Spouse/family Pensioners, 2014) to the petitioner, within the time fixed by this Court.



W.P.(MD)No.892 of 2017

WEB COPY

2. The learned counsel appearing for the petitioner submitted that the claim of the petitioner was rejected through the impugned order, dated 07.11.2016 in Na.Ka.No. 163/1/2016/M1 passed by the 3rd respondent. The reason for rejection is that the petitioner has admitted his wife in Non-network Hospital and hence, the claim of the petitioner was rejected by the District Empower Committee.

3. The learned Special Government Pleader appearing for the respondents submitted that though the petitioner is having Appellate remedy he approached this Court by way of filing this Writ Petition.

4. In view of the same, the petitioner is directed to file an appeal before the State Level Empowered Committee along with original bills. The State Level Empowered Committee shall pass an order after hearing the petitioner, within a period of 12 weeks from the date of receipt of a copy of this Court.



W.P.(MD)No.892 of 2017

WEB COPY

5. With the above directions, this Writ Petition is disposed of. No

Costs.

Index : Yes / No

12.10.2022

Internet : Yes

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To

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W.P.(MD)No.892 of 2017

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