



W.P(MD)No.27858 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.12.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.27858 of 2022

R.Karunakaran

... Petitioner

Vs.

1.The Secretary to Government,
Government of Tamil Nadu,
Finance (Salaries) Department,
Fort St.George, Chennai – 9.

2.The Senior Divisional Manager,
United India Insurance Company Ltd.,
Divisional Office VI,
PLA Rathna Towers, 5th Floor,
No.212, Anna Salai,
Chennai 600 006.

3.The District Collector,
Theni District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents herein to reimburse the balance medical expenses of Rs.1,34,360/- (Rupees One Lakh Thirty Four Thousand Three Hundred Sixty only) together with interest at the rate of 7.5 percent per annum thereon to the petitioner covered by the medical records and medical bills within a reasonable time as may be fixed by this Court.



W.P(MD)No.27858 of 2022

For Petitioner : Mr.K.Appadurai

For Respondents : Mr.M.Lingadurai,
Spl. Government Pleader for R1 & R3.
Mr.A.Shajahan,
Standing Counsel for R2.

ORDER

Heard the learned counsel on either side.

2.The petitioner retired as Joint Director of Health Services. He is a member of new medical insurance policy. The petitioner fell down on 21.10.2020 and suffered injuries. He took treatment in Kauvery Hospital. The petitioner applied to the second respondent for reimbursement. The matter was considered by the District Level Empowered Committee, Theni and based on its recommendation, certain amount was paid to the writ petitioner. The petitioner feels aggrieved by the quantum. According to the learned standing counsel for the second respondent, the eligible amount has already been paid to the writ petitioner and therefore, this writ petition will not be maintainable.

3.If the petitioner is aggrieved by the decision of the District Level Empowered Committee, then he has to necessarily prepare an appeal before the State Level Empowered Committee. If the petitioner files such an appeal



W.P(MD)No.27858 of 2022

within a period of four weeks from the date of receipt of a copy of this order, the State Level Empowered Committee shall entertain the same without reference to limitation and give a disposal on merits and in accordance with law within a period of four months after its receipt.

4. With this liberty to the writ petitioner and direction to the State Level Empowered Committee, the writ petition is disposed of. No costs.

12.12.2022

Index : Yes / No
Internet : Yes/ No
ias

To:-

1. The Secretary,
Finance (Salaries) Department,
Fort St. George, Chennai – 9.

2. The District Collector,
Theni District.



WEB COPY



W.P(MD)No.27858 of 2022

G.R.SWAMINATHAN, J.

ias

W.P(MD)No.27858 of 2022

12.12.2022