



W.P.(MD)No.28770 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.12.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.28770 of 2022

K.Satheesh

... Petitioner

Vs.

1. The District Level Empowered Committee,
Represented by The Chairman / District Collector,
New Health Insurance Scheme for Government Employees,
Nagercoil – 629 001,
Kanniyakumari District.
2. The Joint Director of Medical and Rural Health Services (FAC),
Nagercoil,
Kanniyakumari District.
3. The General Manager,
Tamil Nadu Government Transport Corporation (Tirunelveli Limited)
Tirunelveli,
Nagercoil Zone,
Ranithottam,
Nesamani Nagar,
Kanniyakumari District.



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4. The United India Insurance Company,
Represented by the Divisional Manager /
Divisional Office,
IX PLA Retna Towers,
5th Floor, No.2/2, Anna Salai,
Chennai – 600 006.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the 4th respondent to reimburse his medical claim under the Government of Tamil Nadu Health Insurance Scheme 2016 for Government Employees by considering the petitioner's representation, dated 28.10.2022.

For Petitioner : Mr.C.Murugavel

For Respondents : Mr.S.P.Maharajan - for R1 & R2
Special Government Pleader

Mr.D.Jebaraj - for R3

Mr.J.S.Murali - for R4

ORDER

This writ petition has been filed to direct the 4th respondent to reimburse his medical claim under the Government of Tamil Nadu Health



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Insurance Scheme 2016 for Government Employees by considering the petitioner's representation, dated 28.10.2022.

2. The learned counsel for the petitioner submitted that the petitioner is working as a Conductor in the Tamil Nadu State Transport Corporation Limited. He has applied for Medical Insurance under New Health Insurance Scheme as per G.O.Ms.No.391 Finance (Salaries) Department 2018, dated 10.12.2018 and the Tamil Nadu State Government also issued a New Health Insurance Scheme ID card in favour of the petitioner. While so, the petitioner met with an accident on 28.08.2019 and he admitted in the hospital. Thereafter, he submitted an application through the third respondent for reimbursement of Rs.11,34,816/- under the scheme and the said application was forwarded to the second respondent. Thereafter, the second respondent issued a summon to the petitioner, who appeared before the Empowered Committee by submitting all relevant documents and after perusing all medical records, they recommended for medical reimbursement vide order, dated 24.01.2020 and the same was forwarded by the second respondent to the third respondent on 01.06.2020.



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Thereafter, the third respondent forwarded the same to the fourth respondent Insurance company for medical reimbursement on 23.07.2020. However, till date the fourth respondent has not passed any order and hence, the petitioner made a representation dated 28.10.2022 to the fourth respondent, which was not considered, till date. Hence, the present writ petition is filed with the aforesaid prayer.

3. The learned counsel for the petitioner would submit that this Court may issue a direction to the fourth respondent to disburse the medical reimbursement claim as per the order passed by the Empowered Committee which was forwarded by the Official respondent dated 23.07.2020 within a reasonable time as fixed by this Court.

4. The learned counsel appearing for the fourth respondent- Insurance Company submitted that the petitioner claim will be decided as per the scheme within a period of six weeks.



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5. Considering the limited request made by the learned counsel for the petitioner, this Court directs the fourth respondent to consider the petitioner's representation, dated 28.10.2022 on merits and in accordance with law and to disburse the medical reimbursement claim as per the order passed by the Empowered Committee which was forwarded by the Official respondent, dated 23.07.2020, within a period of six weeks from the date of receipt of a copy of this order.

6. With the above direction, this writ petition is disposed of. No costs.

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Index : Yes / No

Speaking Order : Yes / No

RM



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M.DHANDAPANI,J.

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