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Writ Petition No.8541 of 2015

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 21.12.2023**

**CORAM**

**THE HONOURABLE DR.JUSTICE D.NAGARJUN**

**Writ Petition No.8541 of 2015**

Yuvaraj

..Petitioner

vs.

1.The State of Tamilnadu,  
rep. by the Principal Secretary to Government,  
Home, Prohibition & Excise Department,  
Fort St. George,  
Chennai-600 009

2.The Managing Director,  
TASMAC Ltd.,  
CMDA Tower -II, 4<sup>th</sup> Floor,  
Gandhi Irwin Bridge Road,  
Chennai-600 008

3.The District Collector,  
Tiruvannamalai District,  
Tiruvannamalai.

4.The District Manager,  
TASMAC Ltd.,  
Tiruvannamalai

... Respondents

**PRAYER** : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, to direct the respondents herein to reimburse the medical expenses incurred by the petitioner to the tune of Rs.2,21,050/- within a stipulated period as fixed by this Court.



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For Petitioner : Ms.M.Vishali for  
M/s.K.Govi Ganesan  
For Respondents : Mr.M.Jayanthi, AGP for RR1 & 3  
Mr.C.Ramesh, Standing counsel for  
RR2 & 4.

### **ORDER**

This Writ Petition has been filed seeking for issuance of a Mandamus, to direct the respondents herein to reimburse the medical expenses incurred by him to the tune of Rs.2,21,050/- within a stipulated period as fixed by this Court.

2. It is submitted by the learned counsel for the petitioner that the petitioner has been working as Salesman in TASMAL Ltd., Shop no.9306, Mamandur Village, Arani Taluk under the respondents 2 and 4 herein. The employees of TASMAL have been provided with Comprehensive Health Insurance cover for various kinds of ailments including certain surgical procedures during the course of their employment. In the month of May 2012, the petitioner suffered with Right-sided groin pain and walked with



limping. Hence, he consulted Physicians and thereafter evaluated by a Team of Doctors and he was advised to undergo "Total Hip Replacement" surgery immediately. Accordingly, he underwent total Hip replacement Right on 13.06.2012 and discharged on 18.06.2012 for which the petitioner had spent a sum of Rs.2,21,050/- towards medical bills. The petitioner made a request to the respondents to reimburse the medical expenses. He sent representations dated 26.11.2013, 24.12.2013 and 25.02.2014 to the 4<sup>th</sup> respondent and later, he also sent a representation dated 15.04.2013 to the 3<sup>rd</sup> respondent, in this regard. Since there was no response, the petitioner sought for suitable directions before this Court.

3. The learned counsel for the fourth respondent would submit that out of the total claim amount of Rs.2,21,050/-, the petitioner was paid an amount of Rs.53,540/- to the credit of the Employees Health Fund.

4. However, the learned counsel for the petitioner would submit that there was no response in respect of reimbursement of medical expenses incurred towards Hip replacement but the payment was made towards the medical expenses incurred by the petitioner when he met with an accident



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and sustained injuries.

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5. Heard the learned Additional Government Pleader appearing for the respondents 1 and 3.

6. Considering the submissions made by the learned counsel on either side, and on perusal of the records, the fourth respondent is hereby directed to consider the grievance of the petitioner in respect of reimbursement of medical expenses incurred towards Hip replacement as claimed in his representations dated 26.11.2013, 24.12.2013 and 25.02.2014 and dispose of the matter as quickly as possible, preferably, not later than six weeks from the date of receipt of a copy of this order.

7. The Writ Petition is disposed of with the above direction. No costs.

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Index : Yes/No  
Speaking order: Yes/No  
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**Dr.D. NAGARJUN, J**

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