



WEB COPY



W.P.No.18691 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.18691 of 2022

N.Balasubramanian

...Petitioner

Vs

1. Government of Tamil Nadu
Rep by its Secretary to Government,
Finance (Salaries) Department,
Secretariat, Chennai-600 009.
 2. The Director of Medical and Rural Health Services,
DMS Compound, Teynampet, Chennai-600 006.
 3. The Joint Director of Medical and Rural Health Services,
Coimbatore-641 018.
 4. The District Collector,
Coimbatore-18,
Coimbatore District.
 4. United India Insurance Co. Ltd.,
Represented by its Branch Manager,
United India Insurance Company Divisional Office,
Chennai.
- ...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to



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reimburse the medical expenses of Rs.1,85,270/- incurred by the petitioner for taking medical treatment at G.Kuppusamy Naidu Memorial Hospital, Coimbatore on 25.11.2016, by considering the recommendation made by the 2nd respondent in O.Mu.2489/Ka.p.1/1/2020 dated 22.04.2021.

For Petitioner : Mr.N.Manokaran

For Respondents : Mr.P.Sanjay Gandhi
Government Advocate
For R.1 to R.4

Mr.P.Sankaranarayanan
For R.5

ORDER

Heard Mr.N.Manokaran, learned counsel for the petitioner and Mr.p.Sanjay Gandhi, learned Government Advocate for the respondents 1 to 4 and Mr.P.Sankaranarayanan, learned counsel for the 5th respondent.

2. The petitioner herein challenges the action of the respondents in not reimbursing the medical expenses of Rs.1,85,270/-, which the petitioner had incurred for medical treatment.



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3. According to the learned counsel for the petitioner, the refusal is owing to the medical treatment taken in Non Network Hospital.

4. The respondents 1 to 4 in their counter affidavit have stated that based on the recommendation of the District Level Empowered Committee, the Government have decided to settle the cost. The relevant paragraph of the counter affidavit, filed by the official respondents/respondents 1 to 4, is extracted hereunder:-

“ 7. It is submitted that Government has now decided to settle the cost based on the Guidelines issued vide Government D.O Letter No.37012/Finance (Salaries)/2019-1, Dated:01.11.2019 and Government Letter No.19022/Finance (Pension)/2021-1, Dated:29.04.2021. The District Level Empowered Committee has recommended the case under scenario II in emergency care of the above mentioned guidelines issued by the Government. It is further submitted the Government has now sanctioned eligible amount of Rs.1,53,000/- under New Health Insurance Scheme vide



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G.O.(D).No.304, Finance (Health Insurance) Department, Dated:12.12.2022.

The eligible amount has been arrived as per the package rate for the similar treatment taken in network hospital as suggested by the 5th respondent herein.”

5. In view of the specific stand taken by the respondents to settle the issue, the petitioner's grievance seems to have been met.

6. Recording the statement made by the official respondents in their counter affidavit, the writ petition stands closed. No costs.

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Index:Yes/No

Speaking order/Non-speaking order

sr



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M.S.RAMESH,J.

Sr

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