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W.P.No.21853 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2023

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.21853 of 2023

R.S.Vijayabaskar

... Petitioner

Vs.

- 1.The Principal Secretary to Government of Tamil Nadu,
Health and Family Welfare Department,
Secretariat, Fort St. George, Chennai – 600 009.
- 2.The Joint Secretary to Government,
Finance (Health Insurance) Department,
Secretariat, Fort St. George, Chennai – 600 009.
- 3.The Commissioner,
Treasury and Accounts Department,
Nandhanam, Chennai – 600 035.
- 4.The District Collector to the Government,
Collectorate,
Salem District – 636 001.
- 5.The Assistant Commissioner Office,
Commercial Tax Department,
Omalur, Salem District.
- 6.The District Treasurer,
District Treasury,
Salem District.



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7.The United India Insurance Company Ltd.,
Divisional Office : 010600,
5th Floor, PLA Rathna Buildings, 212,
Anna Salai, Chennai – 600 006.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 28.04.2023 and reimburse the medical expenses of a sum of Rs.4,10,000/- (Four Lakh Ten Thousand Only) paid by the petitioner for the surgery and medical treatment for his mother, with 9% interest within a reasonable time.

For Petitioner : Mr.G.Jaisivamaraj
For R1 to R6 : Mr.E.Vedabagath Singh
Special Government Pleader
For R7 : Mr.T.Shanmugham

ORDER

This writ petition has been filed to direct the respondents to consider the petitioner's representation, dated 28.04.2023, and reimburse the medical expenses of a sum of Rs.4,10,000/- (Four Lakh Ten Thousand Only) paid by the petitioner for the surgery and medical treatment for his mother, with 9% interest within a reasonable time.



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2.The petitioner states that he is working as Assistant in the respondent Department and he has subscribed to New Health Insurance Scheme and has been continuously paying his monthly subscription. It is the case of the petitioner that he spent a sum of Rs.4,10,000/- towards surgery and treatment undergone by his mother and the petitioner submitted a representation to the respondents on 28.04.2023, seeking reimbursement of the said amount, however, the amount spent by him has not been reimbursed so far. Aggrieved by the inaction on the part of the respondents, the present writ petition has been filed.

3.Mr.E.Vedabagath Singh, learned Special Government Pleader, who takes notice for the respondents 1 to 6, submits that the Joint Director of Health and Medical Services, Salem, is the competent authority to whom the application for reimbursement has to be submitted. However, the petitioner has submitted his application to various other authorities.

4.In view of the submissions made by the learned Special Government Pleader, this Court directs the petitioner to submit a fresh application to the Joint Director of Health and Medical Services, Salem,



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along with necessary particulars, seeking reimbursement of the amount spent by him for surgery and treatment of his mother. On such application being submitted by the petitioner, the Joint Director of Health and Medical Services, Salem, shall consider the same and pass appropriate orders, on its own merits and in accordance with law, within a period of two months from the date of receipt of such application.

5. With the above directions, this writ petition is disposed of. No costs.

25.07.2023

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Internet : Yes

Index : Yes / No

Neutral citation : Yes / No

Speaking order / Nonspeaking order

To

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Health and Family Welfare Department,
Secretariat, Fort St. George, Chennai – 600 009.
2. The Joint Secretary to Government,
Finance (Health Insurance) Department,
Secretariat, Fort St. George, Chennai – 600 009.
3. The Commissioner,
Treasury and Accounts Department,
Nandhanam, Chennai – 600 035.



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4. The District Collector,
Collectorate,
Salem District – 636 001.
5. The Assistant Commissioner,
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Omalur, Salem District.
6. The District Treasurer,
District Treasury,
Salem District.
7. The Joint Director of Health and Medical Services,
Salem.



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N. SATHISH KUMAR, J.

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