



W.P.No.26819 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.09.2023

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THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.26819 of 2023

M.Balachandran

... Petitioner

Vs.

- 1.The State of Tamil Nadu rep. by
The Additional Chief Secretary to Govt.,
Finance Department, Chennai-9.
- 2.The Director of Medical & Rural Health Service,
Teynampet, Chennai 600 006.
- 3.The District Collector, Kancheepuram District,
Chairman, District Level Empowered Committee,
Kanchipuram.
- 4.The Joint Director Level Medical and Rural Health Service,
Kancheepuram.
- 5.The Commissioner of Treasuries and Accounts/Director of Pension,
Anna Salai, Nandanam, Chennai – 35.
- 6.The Senior Divisional Manager,
United India Insurance Company Ltd.,
District Office VI, PLA Rathna Towers,
5th Floor, No.212, Anna Salai,
Chennai 600 006.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus or any other appropriate Writ or Order or Direction in the nature of Writ directing the respondents to pay a sum of



W.P.No.26819 of 2023

Rs.3,97,930/- as requested in petitioner's appeal dated 08.08.2023 towards reimbursement of the balance amount of medical expenses incurred by the petitioner with interest at the rate of 12% per annum.

For Petitioner : Mr.V.Sukumar
For R1 to R5 : Mr.J.Ravindran,
Additional Advocate General assisted by
Mr.A.Selvendren,
Special Government Pleader

ORDER

This Writ Petition has been filed to direct the respondents to pay a sum of Rs.3,97,930/- as requested in petitioner's appeal, dated 08.08.2023 towards reimbursement of the balance amount of medical expenses incurred by the petitioner with interest at the rate of 12% per annum.

2.The contention of the learned counsel for the petitioner is that the petitioner was retired as Superintendent in the office of the Commissioner of Police on 31.10.2005 on attaining the age of superannuation. As per the New Health Insurance Scheme, 2018, the petitioner is entitled for reimbursement of expenses incurred by him as well as by his wife for medical treatment in private hospitals. Due to some health issues of petitioner's wife, the petitioner has incurred total expenses of Rs.3,97,930/- for medical treatment in Apollo Hospital, Vanagaram. In this regard, the



W.P.No.26819 of 2023

petitioner has submitted the medical bills and other documents related to the mode and the place of treatment along with an application for reimbursement of medical expenses incurred to the District Collector, Kancheepuram, who is the Chairman District Empowered Committee through the Sub Treasury Officer, Pammal, Chennai. The District Empowered Committee has also recommended the application of the petitioner for medical reimbursement on 05.08.2021, but the 6th respondent has rejected the same, *vide* proceedings, dated 18.10.2021 stating that the treatment was taken in a non-network hospital. Consequently, the 4th respondent has also rejected the petitioner's request *vide* proceedings, dated 01.12.2021. Thereafter, the petitioner has preferred an appeal to the 5th respondent to reimburse the entire medical expense incurred and the same was forwarded to the 2nd respondent for necessary action. The 2nd respondent, *vide* order, dated 15.06.2023 directed the petitioner to get the amount under Medical Attendance Rules. Now, the petitioner has made second appeal before the 1st respondent who is the head of the High Level Empowered Committee constituted by the Government for medical reimbursement as per G.O.Ms.No.222, Finance (Pension) Department, dated 30.06.2018, however, no order has been passed till date. Hence, seeks



W.P.No.26819 of 2023

direction of this Court.

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3.Mr.J.Ravindran, learned Additional Advocate General assisted by Mr.A.Selvendren, learned Special Government Pleader appearing for the respondents 1 to 5 submitted that as per G.O.Ms.No.165, Finance [Health Insurance] Department, dated 01.06.2022, the petitioner shall submit his claim for reimbursement to the Commissioner of Treasuries and Accounts, Chennai. Once the application is submitted to the Commissioner of Treasuries and Account, Chennai, appropriate orders will be passed, within a period of three weeks. The above submission is recorded.

4.In such view of the matter, the petitioner is directed to submit his claim along with necessary documents for reimbursement by applying to the Commissioner of Treasuries and Account, Chennai, within one week, from the date of receipt of a copy of this order. On receipt of such application, the Commissioner of Treasuries and Accounts shall forward the application of the petitioner along with documents to the United India Insurance Company Limited to reimburse the eligible amount from the Corpus Fund provided by the Government and orders shall be passed within a period of



W.P.No.26819 of 2023

three weeks thereafter.

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5.With the above directions, this Writ Petition stands disposed of.

No costs.

13.09.2023

Index : Yes/No

Internet: Yes/No

Neutral Citation: Yes/No

Speaking Order/Non-Speaking Order

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To

- 1.The Additional Chief Secretary to Govt.,
State of Tamil Nadu,
Finance Department, Chennai-9.
- 2.The Director of Medical & Rural Health Service,
Teynampet, Chennai 600 006.
- 3.The District Collector, Kancheepuram District,
Chairman, District Level Empowered Committee,
Kanchipuram.
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W.P.No.26819 of 2023

N.SATHISH KUMAR, J.

vv2

6.The Senior Divisional Manager,
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District Office VI, PLA Rathna Towers,
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W.P.No.26819 of 2023

13.09.2023