



W.P.(MD)No.364 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.01.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.364 of 2023

S.Velankanni

... Petitioner

Vs.

1. The Additional Chief Secretary,
Finance (Health Insurance) Department,
Secretariat,
Chennai - 600 009.
2. The Commissioner of Treasuries and Accounts,
3rd Floor, Anbazhagan Maaligai,
571, Anna Salai,
Nandanam,
Chennai – 600 035.
3. The Divisional Manager,
United India Insurance Company,
Divisional Office VI,
5th Floor, PLA Rathina Tower,
212, Anna Salai,
Chennai – 600 006.

... Respondents



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PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondents 2 and 3, i.e., the Commissioner of Treasuries and Accounts, Chennai and the Divisional Manager, United India Insurance Company Limited, Chennai to make payment of the eligible amount to the petitioner as per the report sent by the Commissioner of Treasuries an Accounts, Chennai also in his Letter No.RC.6629/NHIS-1/2022, dated 27.07.2022 and as per G.O.Ms.No.165, Finance (Health Insurance) Department, dated 01.06.2022.

For Petitioner : Mr.S.Visvalingam
For Respondents : Mrs.K.Christy Theboral
Addl. Govt. Pleader for R1 and R2
Mr.C.Karthik for R3

ORDER

This Writ Petition has been filed for a direction to the respondents 2 and 3, i.e., the Commissioner of Treasuries and Accounts, Chennai and the Divisional Manager, United India Insurance Company Limited, Chennai to make payment of the eligible amount to the petitioner as per the report sent by the Commissioner of Treasuries an Accounts, Chennai also in his Letter No.RC.6629/NHIS-1/2022, dated 27.07.2022 and as per G.O.Ms.No.165, Finance (Health Insurance) Department, dated 01.06.2022.



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2. The case of the petitioner is that the petitioner is working as Graduate Teacher in the Panchayat Union Middle School, Keezhappidavoor, Manamadurai Union, Sivagangai District. The petitioner has been enrolled as a member of the New Health Insurance Scheme, 2018 and a sum of Rs.300/- is deducted every month from her salary towards subscription for the said Scheme. While so, the petitioner's husband was suffering from severe fever, cough and breathlessness and he was admitted in the hospital. The petitioner has spent a sum of Rs.3,00,481/- (Rupees Three Lakhs Four Hundred and Eighty One only) towards her husband's treatment. Hence, the District Level Committee has recommended payment of the expenditure incurred by her, vide letter dated 09.08.2021 to the Divisional Manager, United India Insurance Company, Chennai, for making payment and also the Commissioner of Treasuries and Accounts, Chennai, has recommended to the Divisional Manager, United India Insurance Company Limited, Chennai, for making payment vide letter No.Rc.No.6629/NHIS-1/2022, dated 27.07.2022. However, till date, the same has not been considered by the United India Insurance Company, Chennai. Therefore, the petitioner has filed the present Writ Petition with the aforesaid prayer.



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3. The learned counsel appearing for the petitioner would submit that it would suffice, if the third respondent is directed to consider the proposal sent by the second respondent dated 27.07.2022, in terms of G.O.Ms.No.165, Finance (Health Insurance) Department, dated 01.06.2022 on merits and in accordance with law, within a specified period.

4. The learned counsel appearing for the respondents has no serious objection for such an order being passed by this Court.

5. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the third respondent to consider the proposal sent by the second respondent dated 27.07.2022, in terms of G.O.Ms.No.165, Finance (Health Insurance) Department, dated 01.06.2022 and pass appropriate orders, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.



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costs.



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6. With the above direction, this Writ Petition is disposed of. No

06.01.2023

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No

vji

To

1. The Additional Chief Secretary,
Finance (Health Insurance) Department,
Secretariat,
Chennai - 600 009.
2. The Commissioner of Treasuries and Accounts,
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