



W.P(MD)No.6592 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.04.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.6592 of 2023

T.Kosalai

... Petitioner

Vs

- 1.The State represented by
The Finance Secretary,
Department of Finance,
Secretariat,
St.George Fort,
Chennai – 09.
- 2.The Commissioner of Treasuries and Accounts,
3rd Floor, Perasiriyar K.Anbazhagan Maaligai,
No.571, Anna Salai,
Nandanam,
Chennai – 600 035.
- 3.The Divisional Manager,
United India Insurance Company Limited,
Divisional Office – VI,
5th Floor, PLA Rathna Tower,
No.212, Anna Salai,
Chennai – 600 006.
- 4.The Regional Manager,
United India Insurance Company Limited,
No.7A, West Veli Street,
Madurai.



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5.The Treasury Officer,
Collectorate,
Nagercoil,
Kanyakumari District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to disburse the Medical Reimbursement claim of Rs.5,68,028/- (Rupees Five Lak Sixty Eight Thousand and Twenty Eight only) incurred for the treatment of Covid-19 to the petitioner's husband under the Government of Tamil Nadu New Health Insurance Scheme for pensioners by considering the representation made by the petitioner dated 27.02.2023 within the time stipulated by this Court.

For Petitioner : M/s.A.Victoria

For Respondents : Mr.T.Villavan Kothai
Additional Government Pleader
for R.1 & R.2

Mr.I.Robert Chandra Kumar
for R.3 & R.4

ORDER

Heard the learned counsel on either side.

2. The writ petitioner is a retired School Teacher. The petitioner and her husband are members of the Tamil Nadu New Health Insurance Scheme 2014. The petitioner's husband suffered COVID 19 infection and had to be treated in



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hospital. The petitioner had spent a sum of Rs.5,68,028/- (Rupees Five Lakhs Sixty Eight Thousand and Twenty Eight only) towards treatment. The petitioner applied for reimbursement. The petitioner's request was not considered for the reason that the petitioner's husband had taken treatment in a non-network hospital.

3. Subsequently, the Government of Tamil Nadu issued G.O(Ms)No.280 Finance [Salaries] Department dated 24.06.2020. It was declared that even if treatment is taken in a non-network Hospital for COVID positive cases, that would not be considered as a disqualification. The petitioner therefore moved this Court by invoking the aforesaid Government Order.

4. I permit the petitioner to resubmit her application along with original records before the fifth respondent. The fifth respondent shall forward the same to the Insurance Company / the respondents 3 and 4. Such forwarding shall take place within a period of three weeks from the date of submission of application by the writ petitioner. The Insurance Company shall process the application and quantify the eligible amount and pay the same to the writ petitioner. This shall be done within a period of six weeks after receipt of the application from the fifth respondent.



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5. This writ petition is allowed on these terms. There shall be no order

as to costs.

27.04.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
MGA

To

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G.R.SWAMINATHAN, J.

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