



W.P(MD)No.7058 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.06.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.7058 of 2023
and
W.M.P(MD)No.6696 of 2023

Shanmugaiah

... Petitioner

Vs

- 1.The State represented by
The Director,
Rural Welfare and Health Department,
Chennai – 600 006.
- 2.The District Collector,
Tirunelveli District,
Tirunelveli.
- 3.The Joint Director,
Medical and Rural Health Services Department,
Tirunelveli,
at Tenkasi.
- 4.The Treasury Officer,
District Treasury,
Tirunelveli.
- 5.The Sub Treasury Officer,
Sub Treasury Office,
Sankarankovil,
Tirunelveli District.



W.P(MD)No.7058 of 2023

6. The Divisional Manager,
United India Insurance Company Limited,
Divisional Office,
PLA Rathana Towers,
5th Floor,
No.212, Anna Salai,
Chennai – 600 004.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned orders passed by the first respondent in O.Mu.No. 00067/Kabi 1/1/2022 dated 20.12.2022 and quash the same and consequently direct the respondents to reimburse a sum of Rs.2,22,633/- i.e (Rs. 1,79,257/-, Rs.18,389/- and Rs. 24,987/-) to the petitioner towards the medical expenses incurred by the petitioner's wife towards treatment between 08.04.2021 to 23.09.2021 within a time stipulated by this Court.

For Petitioner : Mr.C.Rathnavel Pandian

For Respondents : Mr.G.Suriyananth
Additional Government Pleader
for R.1 to R.5

Mr.C.Karthick for R.6

ORDER

Heard the learned counsel on either side.

2. The petitioner is a retired government employee. The petitioner's wife was afflicted to cancer. She took treatment in various non network hospitals. The petitioner incurred a sum of Rs.2,22,633/-. He seeks



W.P(MD)No.7058 of 2023

reimbursement. The petitioner's case was considered by the first respondent based on the State Level Empowered Committee. It was noticed that since the petitioner had taken treatment in a non network hospital in a non emergent situation, the treatment is not covered under the scheme. The petitioner's claim was recommended by the committee to be considered under the Tamil Nadu Medical Attendance Rules. Copy of the said proceedings dated 20.12.2022 issued by the Director of Medical and Rural Health Services Department has been enclosed in the typed set of papers. The Secretary to Government, Health and Family Welfare Department, Government of Tamil Nadu is directed to quantify the petitioner's eligible amount and pay the same to the petitioner within a period of twelve weeks from the date of receipt of a copy of this order.

3. This writ petition is allowed on these terms. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

27.06.2023

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

Note: Registry is directed to mark a copy of this order to the Secretary to Government, Health and Family Welfare Department, Government of Tamil Nadu.



W.P(MD)No.7058 of 2023

To

1. The Director,
Rural Welfare and Health Department,
Chennai – 600 006.
2. The District Collector,
Tirunelveli District,
Tirunelveli.
3. The Joint Director,
Medical and Rural Health Services Department,
Tirunelveli,
at Tenkasi.
4. The Treasury Officer,
District Treasury,
Tirunelveli.
5. The Sub Treasury Officer,
Sub Treasury Office,
Sankarankovil,
Tirunelveli District.



WEB COPY



W.P(MD)No.7058 of 2023

G.R.SWAMINATHAN, J.

MGA

W.P(MD)No.7058 of 2023

and

W.M.P(MD)No.6696 of 2023

27.06.2023