



W.P.(MD).No.8649 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 17.04.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No. 8649 of 2023

G.Ravichandran

... Petitioner

Vs.

1. The State of Tamilnadu,
Represented by its Financial Secretary,
Department of Finance,
Secretariate, Saint George Fort,
Chennai – 09.
2. The United India Insurance Company Limited,
Represented by the Divisional Manager,
Divisional Office – VI 5th Floor,
PLA Rathna Tower,
212, Anna Salai,
Chennai – 600 006.
3. The Regional Manager,
United India Insurance Company Limited,
No.7A, West Veli Street,
Madurai – 625 006.
4. The Collector/Chairman of District Level
Empower Committee,
Collector,
Madurai District.
5. The Joint Director,
Medical and Family and Rural Welfare,
Government Hospital,
Usilampatti,
Madurai District.



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6. The Treasury Officer,
Collectorate Complex,
Madurai District - 20

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of *Writ of Mandamus*, directing the respondent Nos. 2 and 3 to disburse the remaining Medical Reimbursement Claim of Rs. 1,75,094/- incurred for the treatment of open heart surgery (Coronary artery bypass graft Surgery) to the petitioner under the Government of Tamil Nadu New Health Insurance Scheme- 2018 based on the recommendation forwarded by the respondent No.4 in N.Ka.No. E5/51096/2016, dated 25.08.2021 and in Na.Ka.No 6436/JKamukkam//2022, dated 02.12.2022 by the 5th respondent, within the time stipulated by this Court.

For Petitioner : Mr.I.Pinaygash
For R-1, 4 & 6 : Mr.G.Suriyananth,
Additional Government Pleader
For R-2 & 3 : Mr.A.Shajahan,
Standing Counsel

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2. This writ petition is filed for *Writ of Mandamus*, directing the respondents 2 & 3 to disburse the remaining medical reimbursement claim to the tune of Rs.1,75,094/-.



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3. The petitioner underwent open heart surgery and incurred expenses to the tune of Rs.3,05,094/-. After processing the petitioner's claim under the New Health Insurance Scheme 2016 the petitioner was granted a sum of Rs.1,30,000/-which is a available limit and eligible amount to the petitioner. However, aggrieved over the meager amount, the petitioner has come forward to file this writ petition. Now, the petitioner is claiming the balance amount of Rs.1,75,094/-

4. The contention of the 2nd and 3rd respondent is that the scheme was entered in the year 2016 and based on the contract the eligible amount of Rs.1,30,000/- has already paid to the petitioner. The balance amount cannot be recovered from the Insurance company, since the contract is limited. Therefore, the 1st respondent shall consider the grievance of the petitioner.

5. Therefore, the petitioner is directed to submit a detailed representation along with the medical bills that he has incurred the expenses. The 1st respondent shall consider the claim of the petitioner under the Medical Attendance rules. The said exercise shall be completed within a period of four months, from the date of receipt of a copy of the order. The contention of the petitioner is already, the District Collector



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25.08.2021 to the 1st respondent. Therefore, the 1st respondent is directed to consider the same, in accordance with law.

6. With the above directions, this Writ Petition is allowed.

No Costs.

Index : Yes / No
Internet : Yes
ksa

17.04.2023

To

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S.SRIMATHY, J

ksa

**Order made in
W.P.(MD)No.8649 of 2023**

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