



W.P.(MD)No.2416 of 2019

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.03.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.2416 of 2019

and

W.M.P.(MD)No.1875 of 2019

D.P.Shaji

... Petitioner

vs.

- 1.The Secretary to Government,
Secretariat, Fort St.George,
Chennai.
- 2.The Director of School Education,
College Road, Chennai.
- 3.The United India Insurance
Company Limited,
represented by its Divisional Manager,
Divisional Office VI,
5th Floor, P.L.A. Rathana Towers,
No.212, Anna Salai,
Chennai-6.
- 4.District Level Committee,
represented by Collector,
Nagercoil, Kanyakumari District.



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5.The Joint Director of Medical and
Rural Health Service,
Office of Joint Director,
Nagercoil, Kanyakumari District.

6.The Chief Educational Officer,
Nagercoil, Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records on the file of the 5th respondent pertaining to its order bearing Ref.No.100/E4/R/08/2017-1, dated 08.11.2018 and the consequential proceedings of the 6th respondent pertaining to its order bearing Oo.Mu.No.6321/A3/2018, dated 29.11.2018 and to quash the same and consequently, to direct the respondents to disburse the amount of Rs. 1,62,942.21 spent by the petitioner for the treatment underwent by his mother Mrs.T.Pushpam within a stipulated time fixed by this Court.

For Petitioners : Mr.S.C.Herold Singh
For R1, 2, 4 to 6 : Mr.M.Ramesh
For R3 : Mr.A.Shajahan



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ORDER

The petitioner is claiming to reimburse Rs. 1,62,942.21/- spent by the petitioner for the treatment of his mother Mrs.T.Pushpam within a stipulated time.

2.The impugned order is passed by the 5th respondent rejecting the same stating that the hospital in which the treatment was given is a non-listed hospital. If there is any rejection then the District Level Committee is an appropriate authority to consider the same.

3.Therefore, the impugned order is quashed. The petitioner is directed to submit the records of the treatment before the 4th respondent Committee. Thereafter, the Committee shall consider and pass order within a period of 12 weeks.



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4. With the above said observation, the writ petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

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

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