



W.P(MD)No.12023 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 10.07.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.12023 of 2014
and
M.P.(MD)No.1 of 2014

P.Suresh Kumar

... Petitioner

Vs.

1.The Principal District and Sessions Judge,
Kanyakumari District at Nagercoil.

2.The General Manager,
The United India Insurance Company Ltd.,
Divisional Office 010600,
5th Floor, PLS Rathna Tower,
212, Anna Salai Chennai.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order of the 1st Respondent in D.No.645/14 dated 30.01.2014 and quash the same and consequently direct the 2nd respondent to sanction the medical reimbursement of the expenses incurred in connection with the medical treatment of the petitioner's wife.



W.P(MD)No.12023 of 2014

For Petitioner : Mr.Puhazh Gandhi

For Respondents : Mr.G.Thalaimutharasu for R1.
Mr.A.Shajahan for R2.

ORDER

Heard the learned counsel on either side.

2.The petitioner is a court employee. His wife underwent uterus removal surgery in KIMS Hospital, Thiruvananthapuram. When the petitioner applied for reimbursement, it was negatived on the ground that the treatment was taken in non-network hospital. Challenging the rejection order, the present writ petition came to be filed.

3.If the petitioner presses his claim against the Insurance Company, then the petitioner will have to show that his claim falls within the four corners of the insurance policy.

4.I am satisfied that the second respondent cannot be made liable. At the same time, the petitioner cannot be left remedyless. The petitioner



W.P(MD)No.12023 of 2014

is directed to approach the District Level Empowered Committee, Kanyakumari District with all the relevant papers. The said Committee shall process the petitioner's claim and the petitioner shall be paid the amount eligible under the rules. The entire exercise shall be completed within a period of twelve weeks from the date of receipt of submission of the claim petition by the petitioner. As and when the petitioner submits his claim, it shall be received by the District Level Empowered Committee.

5.This writ petition is disposed of with the aforesaid direction. No Costs. Consequently, connected miscellaneous petition is closed.

10.07.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:-

The Principal District and Sessions Judge,
Kanyakumari District at Nagercoil.

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W.P(MD)No.12023 of 2014

G.R.SWAMINATHAN, J.

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W.P(MD)No.12023 of 2014

10.07.2023