



WP (MD) No. 8703 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.8703 of 2017

Pavithra

... Petitioner

Vs

1.The Director,
Department of Treasuries and Accounts,
Saidapet,
Chennai – 600 015.

2.The United India Insurance Company,
Divisional Office: 010600,
5th Floor, PLA Rathna Tower,
212, Anna Salai, Chennai – 600 006.

3.The Divisional Manager,
United India Insurance Company,
Tiruchirappalli.

4.MDIndia Health Service (TPA) Pvt Ltd,
The Head Project Office, Guna Complex,
No.443, Anna Salai, Teynampet,
Chennai – 600 018.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the respondents to pay the petitioner's medical expenses for the petitioner's medical treatment, the petitioner has



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undergone from 24.03.2017 to 30.03.2017 for the disease appendicitis in the Kauvery Hospital, Tiruchirappalli as the petitioner's father and the petitioner are covered under the New Health Insurance Scheme.

For petitioner : Mr.T.M.Madasamy
For Respondent : Mr.J.K.Jeyaseelan,
No.1 Government Advocate
For Respondent : Mr. A.Shajahan
No.3
For Respondent : No appearance
No.2 and 4

ORDER

The petitioner claims that she has undergone medical treatment in the year 2017 for her ailments and seeking reimbursement for the expenses incurred by her towards the treatment, she has made a representation. Since the representation of the petitioner has not been considered, she has filed this writ petition for a direction to the respondents to reimburse the expenses borne by her on the ground that she is a dependent of her father, who is a P.G.Assistant in a Government Higher Secondary School and therefore, he and herself are covered under the New Health Insurance Scheme 2016. The respondents have rejected the representation of the petitioner that during the relevant point of time, the petitioner was employed and therefore, she cannot be treated as dependent of a government employee.



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2.The learned Counsel for the petitioner submits that as on date of taking treatment in the hospital, the petitioner was not in any employment and however, prior to the treatment, she was a trainee in a private organisation.

3.The respondents have considered the application of the petitioner and found that she was employed in a private company during the relevant point of time. The Implementation Procedure for New Health Insurance Scheme, 2016 shows that the family members of a government servant, if employed, are not covered under the scheme under the dependant category and therefore, this Court is not inclined to entertain this writ petition. Accordingly, this writ petition is dismissed. No costs.

09.10.2023

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

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B.PUGALENDHI, J.

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