



W.P(MD)No.27848 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.11.2023

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THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.27848 of 2023

and

W.M.P(MD)No.23941 of 2023

E.Subbulakshmi

... Petitioner

Vs.

1.The Secretary to the Government of Tamil Nadu,
Finance (Salaries Department),
Secretariat, Fort St.George,
Chennai-600 009.

2.The District Collector,
Tenkasi District, Tenkasi.

3.The Tahsildar,
Sankarankovil Taluk,
Sankarankovil,
Tenkasi District.

4.The Chief Manager,
United India Insurance Company Ltd.,
Chennai-600 006.

5.The Divisional manager,
United India Insurance Company Ltd.,
Divisional Office-VI, 5th Floor,
PLA Rathna Towers,
No.212, Anna Salai,
Chennai-600 006.

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the Impugned order passed by the 5th respondent vide his proceedings in Ref:010600/MEDI/CRS/302/2023, dated 21.07.2023 and quash the same as illegal and consequently directing the respondents no.4 and 5 to reimburse the Medical expenses of Rs.2,97,313/- incurred by the petitioner for Medical Treatment of her husband name P.Mariraj at Aruna Cardiac Care, Vannarapettai, Tirunelveli with interest @ 7.5 percentage per annum within the time stipulated by this Court and for other reliefs.

For Petitioners : Mr.J.Lawrance

For R1 - R3 : Mr.J.Ashok
Additional Government Pleader

For R4 & R5 : Mr.A.Shajakhan
Standing Counsel

ORDER

The present writ petition has been filed by a Government Servant, challenging an order passed by the Insurance Company, wherein her request for medical expenses incurred by her husband has been rejected.

2. According to the learned counsel appearing for the writ petitioner, the petitioner's husband had underwent treatment at Ravi



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Hospital at Sankarankovil and later, he was admitted to Aruna Cardiac Care at Vannarapettai, Tirunelveli. The petitioner's husband is said to have underwent surgery and he was discharged on 20.02.2023. According to the petitioner, they have incurred an expense of Rs. 2,97,313/-. When they made an application to the insurance company, the same has been rejected under the impugned order, dated 21.07.2023 on the ground that the diagnosis and line of management are not covered.

3. In view of the above said facts, it is clear that the request made by the Government servant for reimbursement of the medical expense has been repudiated by the insurance company. Therefore, in view of G.O.Ms.No.160 Finance (Salaries) Department, dated 29.06.2021, the petitioner has to approach the District Level Empowerment Committee for redressal of her grievance. In case, if the petitioner is aggrieved by the order of the District Level Empowerment Committee, he is at liberty to approach the State Level Empowerment Committee for redressal of her grievance.

4. In view of the effective alternative remedy available to the writ petitioner, this Court is not inclined to entertain the present writ petition.



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Without expressing any opinion on merits, this Writ Petition stands disposed off with a direction to the petitioner herein to approach the District Level Empowerment Committee within a period of three (3) weeks from the date of receipt of copy of this order. As and when the petitioner approaches the District Level Empowerment Committee, the said Committee shall pass appropriate orders within a period of four (4) weeks thereafter.

5. With the above said observations, this Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

29.11.2023

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

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To

1. The Secretary to the Government of Tamil Nadu,
Finance (Salaries Department),
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Chennai-600 009.



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R.VIJAYAKUMAR,J.

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Order made in
W.P(MD)No.27848 of 2023

Dated:
29.11.2023