



WEB COPY



WP No.2596 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.08.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

WP No. 2596 of 2023

A.Thangavelu

... Petitioner

VS.

1. The Managing Director,
Tamil Nadu Housing Board,
No.493, Anna Salai, Nandanam,
Chennai 35.

2. The Executive Engineer,
Tamil Nadu Housing Board,
Thanjavur Division, Thanjavur 05.

3. The Senior Divisional Manager,
United India Insurance Company Limited,
Divisional Office -VI, 5th Floor, PLA Ratna Towers,
212, Anna Salai, Chennai 06.

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the third respondent to pay a sum of Rs.2,40,100/- with interest towards the reimbursement of the medical expenses incurred by the petitioner for heart treatment within a reasonable time.



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For Petitioner : Mr.S.Sivakumar

For Respondents : Mr.D.Veerasekeran,
Standing Counsel, for R1 & R2

Mr.P.Sankaranarayanan
Standing Counsel, for R3

ORDER

This Writ Petition has been filed for the issue of Writ of Mandamus directing the third respondent to pay a sum of Rs.2,40,100/- with interest towards the reimbursement of the medical expenses incurred by the petitioner for his heart treatment.

2. Heard Mr.S.Sivakumar, learned counsel appearing for the petitioner, Mr.D.Veerasekeran, learned Standing Counsel appearing for the respondents 1 and 2 and Mr.P.Sankaranarayanan, learned Standing Counsel appearing for the third respondent.

3. The case of the petitioner is that while he was serving as a Junior



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Assistant in Tanjore Housing Unit on 28.10.2014, he was admitted in a hospital and on the advice of the Doctors, the petitioner underwent Coronary Angiogram. He was discharged from the hospital on 02.11.2014.

4. The petitioner started making representation to the second respondent by providing all the necessary details and requested for reimbursement of the expenditure incurred towards medical expenses. The claim made by the petitioner was recommended and forwarded by the second respondent to the Government. The Government on verifying the genuineness of the claim made by the petitioner directed the third respondent to settle the amount. Since there was no action on the part of the third respondent, the present writ petition has been filed before this Court seeking for appropriate directions.

5. On going through the materials, it is seen that the third respondent Insurance Company through letter dated 27.10.2020 addressed to the Additional Secretary to Government, Department of Housing and Urban Development, requested for furnishing certain original documents in order to



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process the claim and reimburse the medical expenses.

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6. Pursuant to the above communication, the Tamil Nadu Housing Board through communication dated 25.11.2020 furnished all the original documents that were available. Thereafter, there was no progress which impelled the petitioner to approach this Court.

7. It is true that the petitioner had undergone the operation in a non-network hospital. However, considering the genuineness of the claim, the Government had recommended for the reimbursement of the medical expenditure by applying G.O.Ms. No.391 dated 10.12.2018. The original documents that were available were also sent by the Housing Board to the Insurance Company. The petitioner has been running from pillar to post from the year 2014 onwards. Therefore, this Court is inclined to come to the aid of the petitioner by issuing necessary directions to the Insurance Company.

8. In the light of the above discussion, there shall be direction to the



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third respondent Insurance Company to deal with the claim of the petitioner and reimburse the sum of Rs.2,40,100/- to the petitioner within a period of six weeks from the date of receipt of a copy of this order. The third respondent Insurance Company shall also get an undertaking affidavit from the petitioner that the petitioner has not claimed for medical reimbursement before any other Insurance Company/Authority. The petitioner is directed to make a fresh representation to the third respondent along with all the relevant documents and also a copy of this order in order to enable the third respondent to act upon this order.

9. This Writ Petition is disposed of with the above direction.

08.08.2024

jv

Index: Yes/No

Internet: Yes/No

speaking order/ Non Speaking order

Neutral Citation: Yes/No



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N.ANAND VENKATESH, J.

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