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W.P.No.3340 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.02.2024

CORAM

**THE HONOURABLE MS.JUSTICE R.N.MANJULA**

**W.P.No.3340 of 2020**

S.Sekar

... Petitioner

Vs.

1.The Government of Tamil Nadu  
Rep by its Secretary,  
Fort St. George,  
Chennai 600 009.

2.The United India Insurance Co. Limited,  
Divisional Office VI,  
5<sup>th</sup> Floor, P.L.A. Rathna Towers,  
No.212, Anna Salai,  
Chennai 600 006.

3.The Commissioner of Treasuries and Accounts,  
2<sup>nd</sup> Floor, Panagal Building,  
Jeenis Street,  
Saidapet, Chennai 600 015.

4.The Joint Director,  
Rural Health Services Department,  
Salem District, Salem.

5.The Block Educational Officer -II,  
Omalur, Salem Rural 636 455  
Salem District.

... Respondents



W.P.No.3340 of 2020

**Prayer:** Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the sanction order of mediclaim under New Health Insurance Scheme 2016 of the petitioner's son S.Sabarish by the 5<sup>th</sup> respondent dated 25.11.2019 and the authorisation letter dated 06.12.2019 to quash the same and consequently, direct the respondent herein to reimburse the balance claim of Rs.1,92,071/- with prevailing rate of interest within the time stipulated by this Court.

For Petitioner : Mr.C.Prabakaran

For Respondents : Mr.K.H.Ravikumar, GA for R1 & R3  
Mr.P.Sankaranarayanan for R2

### **ORDER**

This Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the sanction order of mediclaim under New Health Insurance Scheme 2016 of the petitioner's son S.Sabarish by the 5<sup>th</sup> respondent dated 25.11.2019 and the authorisation letter dated 06.12.2019 to quash the same and consequently, direct the respondent herein to reimburse the balance claim of Rs.1,92,071/- with prevailing rate of interest within the time stipulated by this Court.



W.P.No.3340 of 2020

WEB COPY

2. Heard Mr.C.Prabakaran, learned counsel for the petitioner, Mr.K.H.Ravikumar, learned Government Advocate for R1 & R3 and Mr.P.Sankaranarayanan, learned counsel for R2.

3. The petitioner had taken treatment for his son in a network hospital by availing the benefit of the Tamil Nadu New Health Insurance Scheme for Government servants. The grievance of the petitioner is that the second respondent has sanctioned only a portion of the medical expenses incurred by the petitioner. According to the petitioner, the petitioner's son had undergone cardiac surgery, for which he had met a hospital bill to the tune of Rs.3,60,596/-. The petitioner came to know that the second respondent has sanctioned only a sum of Rs.1,68,525/-. So the petitioner was compelled to pay the balance of Rs.1,92,071/- at the time of discharging his son from the hospital.

4. As per the submission of the learned counsel for the petitioner, the petitioner is entitled to get full coverage under the Insurance Scheme.



W.P.No.3340 of 2020

But he is aggrieved due to the partial sanction of the medical expenses incurred by him.

5. However, the petitioner is entitled to submit a representation before the District Level Empowered Committee headed by the District Collector with the Joint Director of the Medical and Rural Health Services, District Treasury Officer and a representative of the Insurance Company as its members. As per the New Health Insurance Scheme, 2016 issued vide G.O.Ms.No.202 dated 30.06.2016, the persons aggrieved has to make complaints to the Joint Director of Medical and Rural Health Services of the concerned district for being placed before the District Level Empowered Committee for redressal.

6. The petitioner without availing the efficacious remedy available under the scheme, has filed this Writ Petition directly. However the petitioner is at liberty to file a complaint before the fourth respondent with all necessary documents in order to enable him to place it before the District Level Empowered Committee for passing necessary orders.



W.P.No.3340 of 2020

7. With the above observations, this Writ Petition is disposed. No

costs.

**29.02.2024**

Index : Yes /No

Speaking / Non-speaking

Neutral Citation : Yes / No

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To

1.The Secretary,  
Fort St. George,  
Chennai 600 009.

2.The United India Insurance Co. Limited,  
Divisional Office VI,  
5<sup>th</sup> Floor, P.L.A. Rathna Towers,  
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W.P.No.3340 of 2020

**R.N.MANJULA, J.**

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**W.P.No.3340 of 2020**

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