



W.P.No. 7437 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2024

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.7437 of 2024

T.N.Balachander

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Petitioner

Vs

1. The Secretary,
Family Welfare and Health Department,
Secretariat,
St George Fort,
Chennai – 600 009.

2. The Director General of Police,
Dr.Radhakrishnan Road,
Mylapore, Chennai – 600 004.

3. The Director of Medical and Rural Health Services,
Directorate of Medical and Rural Health Services,
Teynampet,
Chennai – 600 018.

4. The Superintendent of Police,
Tiruppur District,
Tiruppur – 641 601.

5. The Inspector of Police,
Avinasi Police Station,
Tiruppur District – 641 654.



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6. The United India Insurance Company
National Health Insurance Scheme,
PLA Rathina Towers,
5th Floor, 212, Anna Salai,
Chennai – 600 002

.... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to reimburse the medical expenditures totally to the tune of Rs.2,49,443/- incurred by me for myself, my wife and my son for Covid-19 medical treatment.

For Petitioner	: M/s.D.Harini Yadav
For R1 & R3	: Mr.M.Brindan Additional Government Pleader
For R2, R4 & R5	: Mr.V.Veluchamy Additional Government Pleader

ORDER

This Writ Petition has been filed for a direction directing the respondents to reimburse the medical expenses incurred by the petitioner and his family members during COVID-19.

2. Heard M/s.D.Harini Yadav, learned counsel appearing for the petitioner, Mr.V.Veluchamy, learned Additional Government Pleader appearing for the respondents 2, 4 & 5 and Mr.M.Brindan, learned Additional Government Pleader appearing for the respondents 1 & 3 and perused the materials available on record.



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3. The petitioner was working as Grade-I Police Constable.

He was subscribing premium under the National Health Insurance Scheme (NHIS), which is meant for availing medical insurance for Government Employees and pensioners. It is a family insurance scheme, which covers the entire family members. While being so, on 10.05.2021, the petitioner, his wife and his son were affected with COVID and they were admitted in the Coimbatore Child Trust Hospital at Singanallur, Coimbatore. They had spent a sum of Rs.2,49,443/- towards their medical expenses.

4. As per G.O.Ms.No.240, Health and Family Welfare Department, dated 05.06.2020, in order to cover the treatment for COVID-19 under the Chief Minister's Comprehensive Health Insurance Scheme (CMCHIS). Subsequently, the Government issued another G.O.Ms.No.280, Finance (Salaries) Department, dated 24.06.2020, thereby directed for the treatment of critical and non critical COVID-19 positive cases for employees and Rs.5 Crore was sanctioned towards contribution to the Corpus Fund for COVID-19 treatment in National Health Insurance Scheme. Accordingly, the petitioner was covered under the said Policy in Health Insurance Scheme. Now the claim of the petitioner is not considered on the ground that the hospital in which the



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petitioner had taken treatment, viz., Coimbatore Child Trust Hospital is a non-networking hospital. The petitioner submitted a detailed representation with all the medical records before the fourth respondent and the same was forwarded to the file of the second respondent by a communication dated 27.07.2022. However, so far it is pending on the file of the second respondent without considering the claim made by the petitioner.

5. In view of the above, the second respondent is directed to pass appropriate orders on the medical claim of the petitioner to reimburse the expenses incurred by the petitioner for himself and his family members for treatment of COVID-19 within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition stands disposed of. No costs.

21.03.2024

Internet : Yes/No
Index: Yes/No
Speaking Order/Non Speaking Order
Neutral Citation : Yes/No
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To
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