



WEB COPY



WP.No.12511 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :29.01.2024

CORAM

THE HONOURABLE MS. JUSTICE R.N.MANJULA

W.P No.12511 of 2020

S.Raja

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Petitioner

/vs/

1. The District Educational Officer,
Kallakurichi District,
Kallakurichi.
2. The Divisional Manager,
United India Insurance Co., Ltd,
Divisional Office VI,
Vth Floor, Rathna Towers,
212, Anna Salai, Chennai 600 006.
3. The District Treasury Officer,
District Treasury Office, Collector Office,
Campus, Kallakurichi 606 202.

[R3-impleaded as per order dated 29.01.2024
in WMP.No.1615 of 2024] ...

Respondents

Prayer: Writ Petition has been filed under Article 226 of the Constitution of India for issuance of a WRIT of MANDAMUS, directing the Respondents to sanction the medical reimbursement to the Petitioner to the tune of Rs.3,70,456/- under Health Insurance Scheme in respect of treatment taken by the Petitioners



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wife M.S.Kavitha, B.T.Assistant, Government High School, Mathur, Kallakurichi District along with interest based on the representation submitted by the Petitioner dated 12.03.2017 within a time frame to be fixed by this Court.

For Petitioner : Mr.A.Maheshnath

For Respondents : Mr.Yogesh Kannadhasan, SGP for R1
: Mr.P.Sankaranarayanan for R2

ORDER

The petitioner has filed this writ petition for seeking direction against the respondent to sanction the medical reimbursement to the Petitioner to the tune of Rs.3,70,456/- under Health Insurance Scheme in respect of treatment taken by the petitioner's wife M.S.Kavitha, B.T.Assistant, Government High School, Mathur, Kallakurichi District along with interest based on the representation submitted by the Petitioner dated 12.03.2017 within a time frame to be fixed by this Court.

2.The petitioner who has taken treatment for his wife for certain ailments by getting her admitted at Apollo Hospital in Trichy, applied for medical reimbursement under the Tamil Nadu Medical Insurance Scheme. But his claim was not allowed by stating that the hospital from which the treatment was given to his wife did not fall under the accredited list of hospitals. Aggrieved over that, the petitioner has filed this petition seeking direction against the respondents to



sanction the medical reimbursement to the Petitioner to the tune of Rs.3,70,456/- under the Health Insurance Scheme in respect of treatment taken by the Petitioner's wife M.S.Kavitha, B.T.Assistant, Government High School, Mathur, Kallakurichi District along with interest based on the representation submitted by the Petitioner dated 12.03.2017 within a time frame to be fixed by this Court.

3. Heard, Mr.A.Maheshnath, learned counsel for the petitioner and Mr.Yogesh Kannadhasan, learned Special Government Pleader for the first respondent and Mr.P.Sankaranarayanan learned counsel for the second respondent and perused the materials available on record.

4. Even in the case of non networking hospital, if the medical records show that the treatment in an emergent the benefit of the scheme can be obtained even though the hospital does not fall under the net work hospitals. However, in this regard, it is the District Level Empowering Committee headed by the District Collector who has to give recommendation.

5. It is seen that the petitioner has not given any representation for medical reimbursement before the District Level Empowering Committee by producing the medical records and requested for recommendation. Hence, it is open to the petitioner to make a representation before the District Level Empowered Committee by attaching the necessary medical records and seek recommendation



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from the District Level Empowered Committee headed by the District Collector.

6. With the above observation, this Writ Petition is **disposed**. The petitioner is at liberty to give representation to the District Level Empowered Committee headed by the District Collector within a period of two weeks from the date of receipt of copy of this order and on receipt of the same, the District Level Empowering Committee shall dispose the same by passing necessary orders / recommendation within a period of three weeks from then onwards. No costs.

29.01.2024

Index : Yes

Internet : Yes/No

Speaking: Non-Speaking

Neutral: Yes/No

jrs



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To
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Kallakurichi.
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copy to
The District Collector,
The District Level Empowering Committee.



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R.N.MANJULA, J.

jrs

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