



W.P.No.13654 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.11.2024

CORAM:

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.13654 of 2020

and

W.M.P.No.16975 of 2020

M.James

...Petitioner

-Vs-

- 1.The Additional Chief Secretary to Government,
Finance (Salaries) Department,
Secretariat Chennai.
- 2.The District Collector,
Collectorate Buildings,
Tiruppur.
- 3.The Joint Director of Medical and Rural Health Services,
Tiruppur,
Tiruppur District.
- 4.The Assistant Treasury Officer,
Sub-Treasury,
Udumalpet Post,
Tiruppur District.
- 5.The Superintendent of Police,
Tiruppur District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India,
praying for the issuance of a direction in the nature of Writ of Certiorarified



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Mandamus, to call for the records of the second respondent made in proceedings in Na.Ka.No.7764/2020/A4 dated 02.07.2020 and quash the same and consequently direct the first respondent to issue appropriate direction to the second respondent to disburse the medical reimbursement amount for a sum of Rs.2,59,463/- to the petitioner within the stipulated time as that may be fixed by this Court.

For Petitioner : Mr.N.Umapathi

For Respondents : Mr.M.Rajendiran
Additional Government Pleader

ORDER

This writ petition is filed to quash the second respondent made in proceedings in Na.Ka.No.7764/2020/A4 dated 02.07.2020 and consequently direct the first respondent to issue appropriate direction to the second respondent to disburse the medical reimbursement amount for a sum of Rs.2,59,463/- to the petitioner within the stipulated time.

2. The case of the petitioner is that the petitioner was employed as a Special Sub Inspector of Police under the fifth respondent and he was suffering from left emphysematous pyelonephritis with moderate hun. Due to an emergency, the petitioner was hospitalized in a reputable Hospital, KIMS Trivandrum on 11.06.2019 and had undergone bilateral TJ stinting for



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bilateral pyelonephritis and was discharged on 20.06.2019. Again he was admitted on 09.10.2019 and discharged on 11.10.2019.

3. The petitioner retired from service in the year 2013 and has been receiving the pension from the office of the Treasury, Udumalpet. Since he has suffered an unexpected injury, he has been admitted in the hospital in Kerala. The petitioner had spent around Rs.2,59,463/- and the petitioner had made a medical claim by sending the medical records through the proper channel to the second respondent by way of representation dated 19.02.2020. The petitioner has been directed to produce the medical records, and in pursuance of the same, the petitioner has produced the medical records to the second respondent and requested to provide the amount spent by him towards the medical expenses. However the second respondent / District Collector by order dated 02.07.2020 rejected the request of around 18 persons out of 37 persons, including the name of the petitioner. The request of the petitioner for a medical claim has been rejected on the ground that the petitioner has not taken treatment at Non-Network Hospital. Hence, the present writ petition is filed.

4. Learned counsel appearing for the petitioner submitted that the writ



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petition has been filed for reimbursement of medical expenses incurred by the petitioner by taking medical treatment at Non-Network Hospital at Trivandram and the medical bill is a sum of Rs.2,59,463/-.

5. When the matter was taken up for hearing on 15.11.2024, the learned Additional Government Pleader appearing for the respondents submitted that the United India Insurance Company has already settled a sum of Rs.1,48,654/- on 25.03.2021 and a sum of Rs.48,650/- on 22.03.2021, the same was communicated to the Joint Director of New Health Insurance Scheme vide letter dated 26.03.2021 and a copy of the said letter was also served to the learned counsel for the petitioner, who sought time to get instructions.

6. Today, 22.11.2024, when the matter was taken up for hearing, the learned counsel appearing for the petitioner admitted that a sum of Rs.1,97,334/- has been settled to the petitioner, whereas his claim is for a sum of Rs.2,59,463/-. Hence, the balance amount of a sum of Rs.62,129/- has to be settled to the petitioner. Learned counsel further submitted that the petitioner may be given liberty to approach the District Level Empowered Committee for claiming the balance amount.



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7. A counter affidavit was filed on behalf of the fourth respondent dated 25.10.2021.

8. Heard both sides and perused the materials available on record.

9. In view of the above submission made by the learned counsel for the petitioner, the petitioner is directed to approach the District Level Empowered Committee by way of representation claiming the remaining balance amount of Rs.62,129/-.

Accordingly, the writ petition stands disposed of with the above observations and direction. No costs. Consequently, connected miscellaneous petition is closed.

22.11.2024

cda
Index : Yes/No
Speaking/Non Speaking order

J.SATHYA NARAYANA PRASAD, J.

cda

To



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