



WEB COPY



W.P.No.15662 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.10.2024

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.15662 of 2024

R.Senthil Kumar

.... Petitioner

-Vs-

- 1.The Government of Tamil Nadu
Rep.by its Secretary
Finance (Salaries) Department
Fort St.George
Chennai 600 009.
- 2.The Commissioner
Office of the Commissioner of
Treasuries and Accounts
III Floor, Amma Complex
No.571, Anna Salai, Nandanam
Chennai 600 035.
- 3.The Joint Director
Medical and Rural Health Service
Room No.406, 4th Floor
Collectorate Complex, Salem.
- 4.The District Level Empowered Committee (DLEC)
O/o.The District Collector
Room No.101, 1st Floor
Collectorate Campus, Salem 636 001.
- 5.The Assistant Treasury Officer
Subordinate Treasury
Metturdam-636401
Salem District.



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6.The Managing Director
The United India Insurance Co.,Ltd.,
PLA Rathna Towers, 5th Floor
212 Anna Salai, Chennai 600 006.

..Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to reimburse the medical expenses of Rs.3,18,098/-[Three lakhs and eighteen thousand and ninety eight only] incurred by petitioner father and mother for treatment, based on the proceedings of the 3rd respondent dated 28.06.2022 and 2nd respondent dated 11.07.2022 with 12% interest for delayed payment and to grant such other further relief.

For Petitioner : Mr.K.Sathish Kumar
For Respondents : Mr.M.Bindran
Additional Government Pleader for R1 to R5

Dr.C.Paranthaman
Standing Counsel for R6

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the respondents to reimburse the medical expenses of Rs.3,18,098/- incurred by the petitioner's father and mother for treatment based on the proceedings of the 3rd respondent dated 28.06.2022 and the 2nd respondent dated 11.07.2022 and to pay interest for the delayed payment.

2.Heard Mr.K.Sathish Kumar, learned counsel for the petitioner, Mr.M.Bindran, learned Additional Government Pleader for R1 to R5 and Dr.C.Paranthaman, learned Standing Counsel for R6.



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3.The petitioner's father retired as a Headmaster in the year 1996. Thereafter, he was receiving pension and a particular amount was deducted towards medical insurance every month from the pension. For the period from 15.08.2021 to 24.08.2021, the petitioner's father was undergoing treatment for various ailments in St.Mary's Hospital, Omalur, Salem. Towards the same, the petitioner's father incurred a sum of Rs.20,748/- towards medical expenses. Apart from the above, the petitioner's mother also underwent treatment from 19.08.2021 to 24.08.2021 for Covid 19 infection at SKS Hospital, Salem and a sum of Rs.2,97,350/- was incurred.

4.The petitioner's father submitted an application in this regard before the District Level Empowered Committee. The District Level Empowered Committee through communication dated 28.06.2022, recommended for further action to reimburse the amount spent towards medical expenses. Thereafter, the 2nd respondent through communication dated 11.07.2022, informed the 6th respondent Insurance Company regarding the applications received for reimbursement of medical expenses. The name of the petitioner's father is found at Serial No.3 in this communication.

5.The grievance of the petitioner is that the petitioner's father was not able to get the reimbursement during his lifetime and that he died during May 2024. Thereafter, the petitioner was following up with the Insurance Company and the



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amount was not paid. It is under these circumstances, the present writ petition came to be filed before this Court.

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6.The learned Additional Government Pleader appearing on behalf of the official respondents and the learned Standing Counsel appearing on behalf of the 6th respondent Insurance Company submitted that the petitioner is expected to submit the original documents in order to substantiate the claim and once those documents are submitted, the recommendation made by the District Level Empowered Committee and the Commissioner of Treasuries and Accounts will be considered and the petitioner will be paid the amount to which he is entitled.

7.The learned counsel for the petitioner submitted that the petitioner will submit all the relevant original documents and some time frame can be fixed for the reimbursement of the amount.

8.Considering the facts and circumstances of the case and the submissions made by either side, there shall be a direction to the petitioner to submit all the relevant original documents to the 5th respondent, within a period of two weeks from today. The 5th respondent on receipt of the same, shall place it before the 6th respondent. The 6th respondent shall deal with the claim and shall make the payment to which the petitioner is entitled, within a period of four weeks thereafter.



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9.This writ petition is disposed of with the above directions. No costs.

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Index : Yes/No

NCS : Yes/No

KP

Note: Issue order copy on 18.1.2024

To

1.The Secretary

Government of Tamil Nadu

Finance (Salaries) Department

Fort St.George, Chennai 600 009.

2.The Commissioner

Office of the Commissioner of

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3.The Joint Director

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4.The District Level Empowered Committee (DLEC)

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N.ANAND VENKATESH, J.

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