



W.P.No.22874 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.01.2024

CORAM

THE HONOURABLE Ms.JUSTICE R.N.MANJULA

W.P. No.22874 of 2021

M.Veerappan

... Petitioner

/vs/

1. The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Finance (Pension) Department,
Secretariat, Fort St. George,
Chennai – 600 009.
2. The Additional Treasury Officer,
District Treasury,
Pudukottai.
3. The Commissioner of Treasuries and Accounts,
Department of Treasuries and Accounts,
Integrated Complex for Finance Department,
3rd Floor, Veterinary Hospital Campus,
Anna Salai, Nandhanam,
Chennai – 600 035.
4. The Divisional Manager,
United India Insurance Co. Ltd.,
Divisional Office VI,
V Floor, Rathna Towers,
212, Anna Salai, Chennai – 600 006.



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5. The Director of Medical and Rural Health Services,
DMS Compound,
Teynampet,
Chennai – 600 006.

... Respondents

Writ Petitions are filed under Article 226 of the Constitution of India to issue a writ of mandamus to sanction the medical reimbursement to the petitioner to the tune of Rs.1,26,665/- under Health Insurance Scheme as per G.O.Ms.No.171 dated 26.06.2014 in respect of treatment taken by the petitioner's wife V.Savithri, based on the second respondent proceeding in Na.Ka.No.4718/2020/E2 dated 17.11.2020 pending with the third respondent, along with interest within a time frame fixed by this Court.

For Petitioner ... Mr.S.Neduchezhiyan

For Respondents ... Mr.R.Neethiperumal
Govt. Advocate for R1 to R3 &R5

Mr.P.Sankarnarayanan for R4

ORDER

The petitioner has filed this writ petition seeking a writ of mandamus to sanction the medical reimbursement to the petitioner to the tune of Rs.1,26,665/- under Health Insurance Scheme as per G.O.Ms.No.171 dated 26.06.2014 in respect of treatment taken by the his wife V.Savithri, based on the second respondent proceeding in Na.Ka.No.4718/2020/E2 dated



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17.11.2020, pending with the third respondent along with interest within a time frame fixed by this Court.

2. The petitioner who has taken treatment for his spouse at Global Hospital & Nursing Home, for certain health issues has made a claim of medical reimbursement with the fourth respondent. But the same was not granted by stating the reason that the hospital in which the treatment was taken is not a network hospital and that the treatment given to the spouse of the petitioner is also not an emergent one.

3. Mr.S.Nedunchezhiyan, the learned counsel for the petitioner, submitted that the petitioner's wife was suffering from Cancer and that the treatment given to her cannot be stated as non – emergency treatment.

4. The District level Committee headed by the District Collector has passed an order by stating that the treatment given to the petitioner is a non-emergency treatment and it cannot be approved.



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5. Since the District Level Committee did not recommend the fourth respondent insurance company, it did not sanction the reimbursement as claimed by the petitioner. However, the petitioner is having the appeal remedy against the decision taken by the District Level Committee before the State Level Empowered Committee headed by the Director of Treasuries and Accounts, having the Director of Medical and Rural Health Services as Member Secretary and an official representative nominated by the United Insurance Company as member. So it is up to the petitioner to invoke the appeal remedy and get appropriate orders.

6. With the above observation, this Writ Petition is disposed. No costs.

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Index: Yes / No
Speaking order / Non-speaking order
bkn



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To:

WEB COPY

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R.N.MANJULA ,J.

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