



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 18.07.2024

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.31963 of 2023

Basant Kumar Surana

... Petitioner

Vs

1.United India Insurance Company Limited,
First Floor, D.M.Building,
No-1A, Salem Main Road,
Kallakurichi 606 202,
Tamil Nadu

2.Insurance Ombudsman
4th Floor, New 453 Old 312, Anna Salai,
Teynampet,
Chennai 18

3.M/s Medseva Health Insurance TPA Ltd,
3E, Sakthi Towers, 3rd floor,
No.766, Anna Salai,
Chennai 600 002.

.... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to take appropriate action and process the medical bills and other relevant documents submitted within a reasonable time frame for the benefit of claim to the petitioner.



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For Petitioner : Mr.K.S.Ramaswamy
For Respondents : Mr.S.Arun Kumar (R1)
No appearance (R2 and R3)

ORDER

The petitioner seeks a mandamus directing the respondents to process the medical bills in respect of the treatment accorded to his wife for treatment of metabolic syndrome as inpatient for the period 17.07.2019 to 21.07.2019 and from 23.07.2019 to 27.07.2019 for diabetics.

2. The petitioner claims to be holding two medical insurance policies, namely, 'Individual Health Policy' and 'Super Top Up Medicare policy' bearing Nos.2805022818P114706599 and 2805022818P114707757 with the United India Insurance Company Limited/R1. The petitioner's wife was discharged after treatment resulting in the expenditure of a sum of Rs.4,40,086/- and Rs.1,48,607/- for the two tranches of treatment.

3. The petitioner states that on 07.08.2019, re-imburement claims were made with R3 Medseva Health Insurance TPA Ltd., a third party Administrator and there was no response from them. Hence, he has approached this Court.

4. It appears that the petitioner has not exhausted the remedies available before the respondents as my attention is drawn to several e-mails where the



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petitioner has been in correspondence with R1 seeking reimbursement of the claim.

5. R1 has filed a counter, wherein they state that the claims have not been accepted. However, despite a pointed query, learned counsel for R1 is unable to provide any order of either repudiation of the claim or seeking clarifications from the petitioner.

6. In such circumstances, R1 is directed to look into the claims of the petitioner along with supporting documents and pass orders on the claims one way or the other, after hearing the petitioner and in accordance with law and in terms of the insurance policies, within a period of six (6) weeks from date of receipt of a copy of this order.

7. This Writ Petition is disposed as above. No costs.

18.07.2024

Index : Yes / No

Speaking order/Non-speaking order

Neutral citations: Yes/No

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To

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No-1A, Salem Main Road,
Kallakurichi 606 202, Tamil Nadu



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Dr.ANITA SUMANTH,J.

SI

2. Insurance Ombudsman
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