



WP(MD) No.2246 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **04.06.2024**

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD) No.2246 of 2022

C.Nirmala

... Petitioner

Vs.

1.The Secretary to Government

Finance Department,
Secretariat,
Chennai.

2.The District Collector

Kanyakumari District,
Nagercoil.

3.The Joint Director of Medical and Rural Health Services (FAC)

Kanyakumari District
Nagercoil.

...Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records of the 3rd respondent i.e., the Joint Director of Medical and Rural Health Service (FAC), Kanyakumari District in his Ref No.424/E3/RC/06/2020-13 dated 14.09.2020 and quash the same and consequently direct the first respondent i.e., the Secretary to government Finance Department Chennai to sanction the eligible amount to the petitioner since the claim of the petitioner cannot be rejected on the only ground that the treatment was taken in Non-network Hospital.

For Petitioner : Mr.G.Ramanathan

For Respondents : Mr.J.Ashok

Additional Government Pleader

ORDER

Heard Mr.G.Ramanathan, learned counsel for the petitioner, Mr.J.Ashok, learned Additional Government Pleader



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appearing for the respondents.

2. The medical reimbursement claimed by the petitioner was rejected for the reason that the hospital in which the petitioner had taken treatment does not come under the network hospital and it is a non-emergency treatment.

3. Since the above order of rejection has been passed by the District Level Empowering Committee, the petitioner is at liberty to prefer an appeal before the State level Empowering Committee and in this regard, the petitioner has also been intimated by the third respondent.

4. The petitioner without invoking the statutory remedy, has straightaway filed this writ petition. It is up to the petitioner even to place his claim for reimbursement under the Tamil Nadu Medical Attendance Rules as well.



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5. With the above observation, the Writ Petition is
disposed of. No costs.

04.06.2024

Index : Yes / No
Internet : Yes / No
NCC : Yes / No

RM



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R.N.MANJULA, J.

RM

Order made in
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