



WP(MD). No.799 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 07/06/2024

CORAM

The Hon`ble Ms.Justice R.N.MANJULA

WP(MD). No.799 of 2024

Velammal

... Petitioner

Vs

1.The District Treasury Officer,
Theni District..

2. The Assistant Treasury Officer,
Sub-Treasury Office,
Uthamapalayam,
Uthamapalayam Taluk,
Theni District..

3. The Divisional Manager,,
United India Insurance Company Ltd.,
Divisional Office - 6.
Pla Rathna Towers, 5th Floor, 212,
Anna Salai,
Chennai ..

... Respondents

PRAYER :- Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Mandamus directing the respondents to sanction and reimburse medical expenses of Rs.4,30,083/- (Rupees Four Lakhs Thirty Thousand and Eighty Three Only) for the operation of stomach cancer and related medical treatment under gone by



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the petitioners husbands Ravindran at Prema Hospital, Ramanathapuram along with 9 percent interest till the date of payment.

For Petitioner : Mr.Ramu S,
For Respondents : Mr.J.Ashok for R1&R2
Additional Government Pleader
Mr.Shahjahan for R3

ORDER

The petitioner has filed this writ petition for a mandamus to direct the respondents to sanction and reimburse medical expenses of Rs. 4,30,083/- (Rupees Four Lakhs Thirty Thousand and Eighty Three Only) for the operation of stomach cancer and related medical treatment under gone by the petitioner's husband Ravindran at Prema Hospital, Ramanathapuram along with 9 percent interest till the date of payment.

2. Heard the learned counsel for the petitioner, the learned Additional Government Pleader for the respondents 1 and 2 and the learned counsel for the third respondent.

3. The petitioner, who is a pensioner and a beneficiary under the NHIS, has made a claim for medical reimbursement to the tune of



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Rs.4,30,083/- for the surgery of her husband conducted on 16.12.2020 with an application dated 25.04.2021. However, the same was rejected and the rejection order has not yet been served on the petitioner. Therefore, the petitioner is before this Court with the aforesaid prayer.

4. The learned Additional Government Pleader for the respondents 1 and 2 submitted that even though the District Level Empowering Committee has recommended the case of the petitioner to the insurance company/3rd respondent to reimburse the medical claim, the insurance company rejected the same stating that the treatment was taken in a non networking hospital and the line of treatment is a non emergent one.

5. Time and again, it is recorded that whenever the insurance company is not satisfied with the recommendation of the District Level Empowering Committee, the third respondent has to invoke the appeal remedy by way of an appeal before the State Level Empowering Committee. Without doing the same, it seems that the 3rd respondent has rejected the claim of the petitioner. Hence, the third respondent is directed to consider the recommendation of the District Level



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Empowering Committee and pass orders for releasing the eligible medical reimbursement to the petitioner on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction, the writ petition is disposed of. No costs.

07.06.2024

RR

To

1. The District Treasury Officer,
Theni District..

2. The Assistant Treasury Officer,
Sub-Treasury Office,
Uthamapalayam,
Uthamapalayam Taluk,
Theni District..



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R.N.MANJULA,J

RR

**ORDER
IN
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