



WP(MD)No.2171 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 12.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.2171 of 2021

R.Gnanadoss

... Petitioner

Vs

**1.The Chairman,
VOC Port Trust,
Tuticorin.**

**2.The Secretary,
Administrative Department,
VOC Port Trust,
Tuticorin.**

**3.The Chief Medical Officer,
VOC Port Trust,
Tuticorin – 628 004.**

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Certiorarified Mandamus to call for the records relating to the order made in File No. H-20/47/2019/D dated 09/12/2020 on the file of the 3rd respondent and directing the 1st respondent to reimburse the balance amount of medical bill of Rs.58,002/- (Fifty Eighty Thousand and two only) to the petitioner's wife Uma Gnanadoss having Medical i.D.card No. R.E.No. 1685 .



WP(MD)No.2171 of 2021

For Petitioner : Mr.V.Kannan
For Respondents : Mr.A.Arivu Chandran

ORDER

The petitioner an employee from Indian Navy, after his retirement had worked in the VOC Port Trust. His wife was diagnosed with bilateral filarial lymphedema. Therefore, his wife had taken treatment in Appollo Spectra Hospital at Chennai from 01.10.2019 to 17.10.2019. The petitioner had incurred a sum of Rs.3,55,035/- towards the medical expense. Subsequently the petitioner has made a claim for reimbursement. The respondent Port Trust has settled a sum of Rs.2,67,996/-. Therefore, the petitioner has made a request to settle the balance amount, which is rejected by the respondents by the impugned order.

2.The learned Counsel for the petitioner submits that the petitioner has served to this nation and received two awards during his service. The petitioner's wife suffered with bilateral filarial lymphedema and there is no treatment for this disease in any other hospitals. Therefore, the petitioner was constrained to take treatment for her wife in the Appollo



WP(MD)No.2171 of 2021

Spectra Hospital at Chennai. All the medical records have been produced to the respondents. Despite the same, they have rejected the request of the petitioner.

3.The learned Counsel for the respondent Port Trust submits that the Appollo Spectra Hospital, where the petitioner's wife took treatment, is not an empaneled hospital. Further considering the nature of treatment taken by the petitioner's wife, they have considered the claim in accordance with the guidelines for medical claim and they have paid the maximum amount of Rs.2,67,996/-, which is permissible as per the guidelines. The learned Counsel by referring to the official memorandum dated 01.08.2013 issued by the Ministry of Health and Family Welfare submits that the petitioner is entitled for room rent of Rs.30,000/- for ten days at the rate of Rs.3,000/- per day, whereas he has claimed 80,000/- for ten days at the rate of Rs.8,000/- per day; likewise, the petitioner is entitled for consultation charges of Rs.5,400/- for ten days at the rate of Rs.540/- per day (Rs.270/- per consultation with a limit of two consultations per day), whereas he has claimed Rs.8500/- for ten days. He further submits that the petitioner has been sanctioned and paid with



WP(MD)No.2171 of 2021

the eligible amount as per the Central Government Health Scheme under different heads including the above mentioned heads.

4.This Court considered the rival submissions and perused the materials placed on record.

5.The respondents are expected to act in accordance with the Central Government Health Insurance Scheme and also in accordance with the circulars issued with regard to the medical reimbursement. Accordingly they have considered the claim of the petitioner and sanctioned the eligible amount. Therefore, this Court does not find fault with the respondents in rejecting the petitioner's claim. Accordingly, this writ petition is dismissed. No costs.

12.12.2024

DSK



WP(MD)No.2171 of 2021

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WP(MD)No.2171 of 2021

B.PUGALENDHI.J.,

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WP(MD)No.2171 of 2021

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