



WP(MD). No.2278 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 07/06/2024

CORAM

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

WP(MD). No.2278 of 2024

Rathinam.K

... Petitioner

Vs

1. The Divisional Manager,
United India Insurance Company Limited,
(Government of India Undertaking),
Divisional Office, 5th Floor,
Pla Ratna Towers,
212, Anna Salai,
Chennai

2. The Director of Pension,
II Floor, III Block,
Dms Office Complex,
Tenyampet,
Chennai - 600 006..

3. The Treasury Officer,
District Treasury Office,
Tirunelveli -627 009,
Tirunelveli District..

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to



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call for the records on the file of the 1st respondent in his proceedings Ref. 010600/MEDI/CRS/745/2023 dated 23.08.2023 and quash the same as illegal and consequently direct the 1st respondent to disburse medical reimbursement of Rs.58,860/- as per the G.O.Ms.No.204, Finance (H1) Department dated 30.6.2022, Tamilnadu Government covered the pensioners into new Health Insurance Scheme, 2022 for pensioners (included spouse)/family pensioners, with interest.

For Petitioner : Mr.J.Jeyakumaran,
For Respondent : Mr.M.Lingadurai for R2 & R3
Special Government Pleader
Mr.C.Karthick for R1

ORDER

The petitioner is aggrieved due to the first respondent dated 23.08.2023 has filed this writ petition.

2. Heard the learned counsel for the petitioner, learned Special Government Pleader for R2 and R3 and the learned counsel for the 1st respondent.

3. The petitioner was affected due to sinusitis and had undergone a surgery by incurring a sum of Rs.58,860/-. Since the petitioner being a



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beneficiary under the New Health Insurance Scheme, 2022 has approached the respondents by filing an application to the third respondent, which was forwarded to the 1st respondent. However, the 1st respondent passed the impugned order by rejecting the claim of the petitioner on the ground that the diagnosis and the line of management are not covered and the claim of the petitioner is to be rejected under G.O.Ms.No.204 dated 30.06.2022 of the Finance Department.

4. The learned counsel for the petitioner submitted that despite the authority concerned has recommended for reimbursement, the insurance company has rejected the claim stating that the diagnosis and the line of management are not covered.

5. The authority, who had recommended is the first level authority. However, the insurance company has to take a call depending upon the eligibility of the petitioner. If the petitioner is not satisfied with the order so passed by the insurance company in the first instance, the petitioner is entitled to prefer an appeal before the District Level Committee or can place his claim under the Tamil Nadu Medical Attendance Rules.



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6. Since the petitioner has not preferred any appeal and filed this writ petition directly, the petitioner is at liberty to file an appeal before the District Level Empowered Committee.

7. Accordingly, the writ petition is disposed of with liberty to the petitioner to file an appeal before the District Level Empowered Committee. No costs.

07.06.2024

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TO

2. The Director of Pension,
II Floor, III Block,
Dms Office Complex,
Tenyampet,
Chennai - 600 006..

3. The Treasury Officer,
District Treasury Office,
Tirunelveli -627 009,
Tirunelveli District..



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R.N.MANJULA,J

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**ORDER
IN
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