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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 07/06/2024

CORAM

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

WP(MD). No.3198 of 2024

Ramalingam .S ... Petitioner

Vs

1. The Secretary to the Government,
of Tamil Nadu, Finance (Salaries Department),
Secretariat, Fort St. George,
Chennai - 600 009..

2. The District Level Empowered,
Committee, Represented by its Chairman
/ District Collector,
Madurai District,Madurai..

3. The Commissioner of Police,
Madurai City,Madurai District..

4. The District Treasury Officer,
Madurai District,Madurai..

5. The Divisional Manager,
United India Insurance Company Ltd.,
Divisional Office - Vi, 5th Floor,
Pla Rathna Towers, No. 212, Anna Salai,
Chennai - 600 006.. ... 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 Mandamus directing the 5th respondent to reimburse the Medical expenses of Rs.2,85,018/- incurred by the petitioner for Medical Treatment of his wife name R.Kalavathi at G.Kuppusamy Naidu Memorial Hospital at Coimbatore, as per the recommendation of the 2nd respondent vide proceedings in Na.Ka.No. E5/51096/2016, dated 25.08.2021 with interest at 12 percent per annum within the time stipulated by this Court.

For Petitioner : Mr.J.Lawrance
For Respondents : Mr.J.Ashok for R1 to R4
Additional Government Pleader
Mr.I.Shahjahan for R5

ORDER

This writ petition has been filed for a mandamus directing the 5th respondent to reimburse the Medical expenses of Rs.2,85,018/- incurred by the petitioner for Medical Treatment of his wife name R.Kalavathi at G.Kuppusamy Naidu Memorial Hospital at Coimbatore, as per the recommendation of the 2nd respondent vide proceedings in Na.Ka.No. E5/51096/2016, dated 25.08.2021 with interest at 12 percent per annum within the time stipulated by this Court.

2. Heard the learned counsel for the petitioner, the learned

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Additional Government Pleader for the respondents 1 to 4 and the learned counsel for the 5th respondent.

3. The petitioner's wife undergone a surgery, for which, the petitioner, being a beneficiary under the NHIS, claimed medical reimbursement for the expenses incurred by him, for which, he has made an application along with necessary bills to the 5th respondent. However, the petitioner's claim for medical reimbursement was returned by the 5th respondent by stating that the treatment taken is not coming under emergency category as per the NHIS. Therefore, the petitioner has preferred an appeal before the District Level Empowering Committee and the District Level Empowering Committee has made a recommendation for reimbursement. However, no order has been passed on the same and hence, the petitioner is before this Court.

4. It is seen that the 5th respondent has not taken the recommendation order passed by the District Level Empowering Committee on appeal. Therefore, the 5th respondent is directed to comply with the order of the District Level Empowering Committee and pass

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orders thereon for medical reimbursement within a period of four weeks from the date of receipt of a copy of this order.

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

07.06.2024

RR

TO
1. The Secretary to the Government,
of Tamil Nadu, Finance (Salaries Department),
Secretariat,
Fort St. George,Chennai - 600 009..

2. The District Level Empowered,
Committee, Represented by its Chairman
/ District Collector,
Madurai District,Madurai..

3. The Commissioner of Police,
Madurai City,Madurai District..

4. The District Treasury Officer,
Madurai District,Madurai..

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R.N.MANJULA,J

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ORDER
IN
WP(MD) No.3198 of 2024

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