



W.P.(MD).No.3185 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.06.2024

CORAM

THE HONOURABLE Ms.JUSTICE R.N.MANJULA

W.P.(MD).No.3185 of 2023
and WMP(MD) No.18539 of 2023

A.Pitchaiah

... Petitioner

Vs

1. The Government of Tamil Nadu,
Represented by its Additional Chief Secretary,
Finance (Health Insurance 2) Department,
Fort St. George, Chennai 9.
2. The Commissioner,
The Treasury and Account Department,
Amma Valagam, 3rd Floor, Veterinary Hospital Building,
No. 571, Anna Salai, Nandhanam, Chennai 35.
3. The Treasury Officer,
District Treasury Officer, Tirunelveli 627 009.
4. The United India Insurance Company Ltd,
Rep by its Manager, PLA Rathina Towers,
5th Floor, 212, Anna Salai, Chennai 6.

... 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 pertaining to the impugned G.O.Ms.No. 106 Finance (Health Insurance 2) Department, dated 14.02.2022 passed by the 1st respondent and order in Na.Ka.No. 4489/2020/N.1, dated 13.07.2022 passed by the 3rd respondent and quash the same and consequently direct the respondents to reimburse the sum of Rs. 85,462/- with 12% interest to the petitioner within a stipulated time as fixed by this Court.

For Petitioner : Mr.B. Vijay Karthikeyan

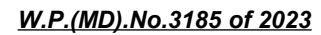
For Respondents : Mr.J.Ashok (R1-R3)
Additional Government Pleader

Mr.C.Karthik (R4)
Standing Counsel

ORDER

Heard Mr.B. Vijay Karthikeyan, learned Counsel for the petitioner, Mr.J.Ashok, learned Additional Government Pleader, for the respondents 1 to 3 and Mr.C.Karthik, learned Standing Counsel for the 4th respondent.

2.The petitioner, who is a Pensioner, has filed this writ petition challenging the impugned G.O.Ms.No. 106 Finance (Health Insurance 2) Department, dated 14.02.2022 passed by the 1st respondent and the order in Na.Ka.No. 4489/2020/N.1, dated 13.07.2022 passed by the 3rd respondent and



3.The petitioner is a Pensioner and he was covered under the Tamil Nadu Government's Health Insurance Scheme, 2014. He took treatment for his wife, thereby, he had incurred medical expenses to the tune of Rs.85,462/-. However, the impugned order has been passed by allowing a sum of Rs.7,925/-, since the petitioner's wife took unapproved medical treatment in a network hospital.

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5. In view of the same, this writ petition is allowed and the impugned order in Na.Ka.No. 4489/2020/N.1, dated 13.07.2022 is hereby set aside. The petitioner is at liberty to file an appeal before the State Level Empowered Committee within a period of two weeks from the date of receipt of copy of the order. The State Level Empowered Committee shall consider and pass appropriate orders, within a period of four weeks thereafter. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

05.06.2024

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



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R.N.MANJULA, J.

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