



W.P.(MD).No.9745 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.04.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD).No.9745 of 2024

M.Pon Vijaya

... Petitioner

Vs.

1.The District Collector,
Collectorate,
Tirunelveli District.

2.The United India Insurance Company Limited,
Represented by the Divisional Manager,
Divisional Office – VI,
5th floor, PLA Rathna Tower,
212, Anna Salai, Chennai - 600 006.

3.The Deputy Director of Medical,
Rural Health Services and Family Welfare,
District Family Welfare Bureau,
5-A, Salai Street,
Tirunelveli - 627 003.

4.The District Treasury Officer,
District Treasury Office,
Collectorate, Kokkirakulam,
Tirunelveli - 9.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 2nd respondent to grant the Medical Reimbursement Claim of Rs.2,17,815/- (Rupees Two



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Lakhs Seventeen Thousand Eight Hundred Fifteen only) incurred for the Knee Replacement Surgery treatment with accrued interest to the petitioner based on the recommendation given by the 4th respondent/Treasury Officer, Tirunelveli in proceedings No.Oo.Mu.No. 6401/2023/J3 dated 31.07.2023 under the Government of Tamil Nadu New Health Insurance Scheme-2022 by considering the Petitioner's representation dated 27.03.2024 within the time stipulated by this Court.

For Petitioner : Mr.I.Pinaygash

For R1, R3 and R4 : Mr.J.Ashok
Additional Government Pleader

For R2 : Mr.C.Karthik

ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus seeking direction against the second respondent to grant the Medical Reimbursement Claim of Rs.2,17,815/- (Rupees Two Lakhs Seventeen Thousand Eight Hundred Fifteen only) with accrued interest based on the recommendation given by the 4th respondent dated 31.07.2023, by considering the Petitioner's representation dated 27.03.2024.



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2. Heard Mr.I.Pinaygash, learned counsel for the petitioner, Mr.J.Ashok, learned Additional Government Pleader for the respondents 1, 3 and 4 and Mr.C.Karthik, learned counsel for the 2nd respondent.

3. Mr.I.Pinaygash, learned counsel for the petitioner submitted that the petitioner is a member of the Tamil Nadu New Health Insurance Scheme-2022 (Pensioner/Family Pensioner) for the employees of the Tamil Nadu Government through the United India Insurance Company Limited. Due to sudden knee ailment, the petitioner was admitted in the Preethi Hospital, Madurai and underwent knee replacement surgery on 18.05.2023. The petitioner paid the full amount of Rs.2,17,815/- in the hospital for the medical expenses. Thereafter, the petitioner preferred a representation to the authorities requesting them to grant medical reimbursement, based on which, the fourth respondent vide order dated 31.07.2023 made a recommendation to sanction the above said medical reimbursement. Since no action was taken, the petitioner preferred another representation dated 27.03.2024 to consider his request. Having received the representation, the respondents did not take any action to disburse the same. Hence, the petitioner has come before this Court by way of filing this Writ Petition.



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4. Mr.I.Pinaygash, learned counsel for the petitioner further submitted that in fact the proposal has been sent by the fourth respondent to the second respondent to release the medical reimbursement claimed by the petitioner, so far no amount has been released.

5. Mr.C.Karthik, learned counsel on instructions from the second respondent submitted that, the amount eligible to be reimbursed will be released within 10 working days. However, the petitioner claims that the petitioner is entitled to the whole of the medical reimbursement claimed by him.

6. However, the matter cannot be dealt further unless the second respondent pass orders and release the amount, considering the medical reimbursement.

7. With the above observations, this Writ Petition is **disposed of** with a direction to the second respondent to release the medical reimbursement as per the scheme within 10 working days as undertaken by him. If the petitioner has still got any grievance with regard to the



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quantum of reimbursement permitted to him, he is at liberty to challenge the same by making an appeal to the District Level Empowered Committee. No costs.

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NCC:yes/no

Index:yes/no

Internet:yes/no

Nsr

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