



W.P.(MD)No.10245 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.04.2024

CORAM

THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.(MD)No.10245 of 2024

G.Kannan

... Petitioner

Vs.

1. The Director of Pensions,
Perasiriyar K.Anbazhagan Maaligai,
3rd Floor, 571, Anna Salai,
Nandanam, Chennai - 35.
2. The Commissioner of Treasuries and Accounts,
Perasiriyar K.Anbazhagan Maaligai,
3rd Floor, 571, Anna Salai,
Nandanam, Chennai - 35.
3. The District Collector,
Virudhunagar District,
Virudhunagar.
4. The District Coordinator,
MD India Health TPA Private Ltd.,
No.140-H2, Railway Feeder Road,
Near Income Tax Office, Virudhunagar .
5. The Nodel Officer,
New Health Insurance Scheme,
United Insurance Company Ltd.,
Divisional Office – VI, PLA Towers,
5th Floor, No.212, Anna Salai, Chennai - 6.



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6. The Joint Director of Medical and Rural Health Services,
Virudhunagar,
Virudhunagar District.

7. The District Treasury Officer,
Virudhunagar District,
Virudhunagar.

8. The Managing Director,
United India Insurance Company Ltd.,
Head Office, No.19, Nungambakkam High Road,
4th Lane, Chennai - 34.

9. MD India Health Insurance TPA Pvt. Ltd.,,
Raheja Towers , Unit 005,
Delta Wing 177, Ground Floor,
Mount Road, Anna Salai,
Chennai – 600 002.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the eighth respondent to reimburse a sum of Rs.6,23,440/- to the petitioner under Government of the Tamil Nadu New Health Insurance Scheme, 2022, towards the medical expenses incurred by the petitioner by considering the representation of the petitioner dated 23.03.2024.

For Petitioner : Mr.A.K.Baskarapandiyan

For R-1 to R-4,
R-6 & R-7 : Mr.M.Linga Durai,
Special Government Pleader

For R-5 & R-8 : Mr.C.Karthik



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ORDER

By consent of both the parties, this writ petition is taken up for final disposal at the admission stage itself.

2. Heard Mr.A.K.Baskarapandiyan, learned counsel appearing for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader appearing for respondent Nos.1 to 4, 6 and 7 and Mr.C.Karthik, learned counsel appearing for respondent Nos.5 and 8.

3. The petitioner was working as a Secretary and he retired on 30.06.2001. The petitioner has filed this writ petition seeking to sanction the medical reimbursement claim made by him to the tune of Rs.11,61,278/- (Rupees Eleven Lakhs Sixty One Thousand Two Hundred and Seventy Eight only).

4. Mr.A.K.Baskarapandiyan, learned counsel appearing for the petitioner submitted that the petitioner is covered under the Government of Tamil Nadu New Health Insurance Scheme, 2022 and as per the Scheme, the overall limit of assistance shall be to the maximum amount of Rs.10,00,000/- (Rupees Ten



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Lakhs only) for the entire family members in a block period of four years.

However, the grievance of the petitioner is that he was sanctioned with a sum of Rs.3,76,560/- (Rupees Three Lakhs Seventy Six Thousand Five Hundred and Sixty only) and the balance amount of Rs.6,23,440/- (Rupees Six Lakhs Twenty Three Thousand Four Hundred and Forty only) was not paid.

5. Mr.C.Karthik, learned counsel appearing for respondent Nos.5 and 8 would submit that the petitioner has been paid whatever amount eligible to be paid under the Health Insurance Scheme and hence, the petitioner cannot demand the rest of the payment.

6. If the petitioner is aggrieved due to above action on the part of the Insurance Company, it is up to him to make his appeal before the Joint Director of Medical and Rural Health Services in accordance with rules and work out his remedy there. However, Mr.A.K.Baskarapandian, learned counsel appearing for the petitioner submitted that the petitioner has made a grievance application to the sixth respondent and the sixth respondent has not acted upon it by forwarding the same to the District Level Empowered Committee.



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7. In the aforesaid reasons, this Writ Petition is **disposed of** with a direction to the sixth respondent to consider the representation of the petitioner dated 23.03.2024 either by forwarding the same to the District Level Empowered committee with his recommendation if any or to consider the application in view of the Tamil Nadu Medical Attendance Rules and pass appropriate orders on merits and in accordance with law within a period of eight (8) weeks from the date of receipt of a copy of this order. No costs.

26.04.2024

Index:yes/no

Internet:yes/no

Ncc : yes/no

TSG

To

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4. The District Coordinator,
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