



WP(MD) No.11651 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **04.06.2024**

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD) No.11651 of 2022

and

W.M.P(MD)No.8234 of 2022

K.C.R.Arunji

... Petitioner

Vs.

1.The Joint Director of Medical and Rural Health Services,
Nagercoil,
Kanyakumari District - 629001.

2.The District Collector
Kanyakumari District,
Kanyakumari.

3.M/s.United India Insurance Company,
Divisional Office 5th Floor, PLA Rathna Tower,
Raji Buildings, 212, Anna Salai,
Chennai - 600 006.



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4. The Treasury Officer

District Treasury,

Nagercoil,

Kanyakumari 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 call for the records of the 3rd and 4th respondents in MDDL007119 dated 25.02.2022 and RC No.21977/2015 - (62-2)/L2 dated 15.03.2022 and quash the same as devoid of merits and consequently direct the respondents to reimburse the medical treatment bill to the value of Rs.18,76,912/- with applicable interest under the New Health Insurance Scheme 2018 for pensioners (including spouse)/family pensioners based on the petitioner's father's claim dated 03.09.2021.

For Petitioner : Mr.Ananth C.Rajesh

For Respondents : Mr.N.Ramesh Arumugam

Government Advocate – for R1, R2 & R4

Mr.C.Karthik – for R3



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ORDER

The present writ petition has been filed seeking a Writ of Certiorarified Mandamus to call for the records of the 3rd and 4th respondents in MDDL007119 dated 25.02.2022 and RC No. 21977/2015 - (62-2)/L2 dated 15.03.2022 and quash the same as devoid of merits and consequently direct the respondents to reimburse the medical treatment bill to the value of Rs.18,76,912/- with applicable interest under the New Health Insurance Scheme 2018 for pensioners (including spouse)/family pensioners based on the petitioner's father's claim dated 03.09.2021.

2. Heard Mr.Ananth C.Rajesh, learned counsel for the petitioner, Mr.N.Ramesh Arumugam, learned Government Advocate appearing for the respondents 1, 2 and 4 and Mr.C.Karthik, learned counsel appearing for the third respondent.



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3. The medical claim made by the petitioner for reimbursement under NHIS scheme has been rejected by the fourth respondent for the reason that the petitioner's father has taken treatment in a non-network hospital and it is not covered under the scheme.

4. The learned Government Advocate for the respondents 1, 2 and 4 submitted that the petitioner can make his further appeal before the State level Empowering Committee, if he is aggrieved by the order of the District Level Empowering Committee, vide the communication issued by the fourth respondent, dated 15.03.2022.

5. In view of the above, the petitioner is at liberty to file an appeal before the State Level Empowering Committee or to make his claim under the Tamil Nadu Medical Attendance Rules.



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6. With the above observation, this Writ Petition is **disposed of**. No costs. Consequently, connected miscellaneous petitions are closed.

04.06.2024

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

RM



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To

- 1.The Joint Director of Medical and Rural Health Services,
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Kanyakumari District,
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R.N.MANJULA, J.

RM

Order made in
W.P.(MD)No.11651 of 2022

Dated:
04.06.2024