



WP(MD) No.11784 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.11784 of 2022

and

W.M.P(MD)No.8378 of 2022

M.Chitrakaladevi

... Petitioner

Vs.

1.The Commissioner of Treasuries and Accounts,
Integrated Finance Complex,
No.571, Anna Salai,
Nandanam,
Chennai – 600 033.

2.The Divisional Manager
United India Insurance Company,
Divisional Office VI,
5th Floor, PLA Rathna Tower,
212, Anna Salai,
Chennai – 600 006.



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3. The Block Educational Officer

Block Educational Office,

Alanganallur,

Madurai District – 625 501.

...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 relating to the impugned proceedings passed by the 1st respondent in R.C.No. 36698/NHIS-1/2021 dated 22.02.2022 and consequential communication in this proceeding by the 3rd respondent in Na.Ka.No.642/A1/2021 dated 12.04.2022 and quash the same and consequently direct the respondents to sanction the medical expenses incurred by the Petitioner as per the eligibility criteria in terms of amount under the scheme.

For Petitioner : Mr.V.Muruganandam

For Respondents : Mr.M.Siddharthan -- for R1 & R3

Additional Government Pleader

Mr.C.Karthik – for R2

ORDER

The present writ petition has been filed seeking a Writ of Certiorarified Mandamus to call for the records relating to the



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impugned proceedings passed by the 1st respondent in R.C.No.36698/NHIS-1/2021 dated 22.02.2022 and consequential communication in this proceeding by the 3rd respondent in Na.Ka.No.642/A1/2021 dated 12.04.2022 and quash the same and consequently direct the respondents to sanction the medical expenses incurred by the Petitioner as per the eligibility criteria in terms of amount under the scheme.

2. Heard Mr.V.Muruganandam, learned counsel for the petitioner, Mr.M.Siddharthan, learned Additional Government Pleader appearing for the respondents 1 and 3 and Mr.C.Karthik, learned counsel appearing for the second respondent.

3. The medical reimbursement as claimed by the petitioner was rejected for the reason that the hospital in which the petitioner had taken treatment does not come under the network hospital and it is a non emergency treatment.



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4. The learned Additional Government Pleader submitted that subsequent to the impugned order of the first respondent, dated 22.02.2022 and the order of the third respondent, dated 12.04.2022, a Government order came to be issued in G.O.Ms.No.165, dated 01.06.2022, wherein, it is stated as under :

8. The Government after careful examination of the proposal of Commissioner of Treasuries and Accounts, have decided to accept the same and accordingly issue the following orders:-

(i) Sanction is accorded for an adhoc amount of Rs.10.00 crore (Rupees ten crore only) to clear the claims of the eligible expenses incurred by the Government Employees and their eligible family members and Pensioners (including spouse) / Family Pensioners under Non-Critical COVID care treatment undertaken in Non-Network hospitals by creating two Corpus Funds one for Rs.6.00 crore [Rupees six crore only] for Pensioners (including spouse) / Family Pensioners and Rs.4.00 crore [Rupees four crore only] for Government Employees and their eligible family members considering the welfare of the Employees/ Pensioners. There shall be no change in the existing modalities followed in respect of reimbursement claims settled by United India Insurance Company Limited from the funds released by Government under these Corpus Fund.

(ii) Government Employees/Pensioners who have already taken treatment for Non-Critical COVID care in Non-empanelled Hospitals from 01.03.2020 to till date are directed to submit their claims for reimbursements by applying to the Commissioner of Treasuries and Accounts, Chennai. The Commissioner of Treasuries and Accounts shall forward the applications along with documents to the United India Insurance Company Limited to reimburse the eligible amount from the Corpus Fund provided by the Government as is followed as per the G.Os first and second read above without reference to the District Level Empowered Committee.



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5. In view of the same, the petitioner is at liberty to approach the second respondent and re-emphasize her claim based on the above Government Order.

6. The petitioner is at liberty to send an application in this regard to the third respondent and on receipt of the same, the third respondent shall forward it to the second respondent with relevant documents collected from the petitioner and on receipt of the same, the second respondent shall pass appropriate orders for reimbursement within a period of four weeks.

7. With the above direction, this Writ Petition is **disposed of**. No costs. Consequently, connected miscellaneous petition is closed.

04.06.2024

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

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To

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R.N.MANJULA, J.

RM

Order made in
W.P.(MD)No.11784 of 2022

Dated:
04.06.2024