



W.P.(MD)No.14962 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 29.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.14962 of 2019

P.Vasanthamary

... Petitioner

versus

1. The Agriculture Production Commissioner &
Principal Secretary,
St. George Fort,
Chennai – 9.
2. The District Collector,
District Collector Office,
Periyamilaguparai,
Trichy.
3. The Divisional Manager,
United India Insurance
Divisional Office,
PLA Rathna Tower, 5th Floor,
Annasalai,
Chennai – 600 006.

... Respondents

Writ Petition filed under Article 226 of Constitution of India, seeking for the issuance of Writ of Mandamus, to direct the 3rd respondent to pay a sum of Rs.1,50,074/- towards the medical expenses as per the insurance coverage.



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For Petitioner : Mr.S.Visvalingam
For R1 and R2 : Mr.P.T.Thiraviam,
Government Advocate
For R3 : Mr.A.Shajahan

ORDER

The petitioner, with a grievance that she has not been reimbursed with the medical expenses, which she had incurred for her husband in the year 2015, has filed this writ petition, seeking a direction to the 3rd respondent/the Divisional Manager, United India Insurance, Chennai, to pay a sum of Rs.1,50,074/- towards the medical expenses as per the insurance coverage.

2. The learned counsel appearing for the petitioner submits that the Joint Director of Health has made a recommendation, directing the Insurance Company to pay a sum of Rs.67,000/- to the petitioner. The District Empowered Committee, by its proceedings dated 14.07.2016, has also made a recommendation, directing the Insurance company to pay the amount to the petitioner. Even then, the said amount has not been paid to the petitioner. Therefore, the petitioner was constrained to file this writ



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petition.

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3. Today, when this writ petition is taken up for hearing, the learned counsel appearing for the 3rd respondent submits that the address of the 3rd respondent was not properly mentioned in the writ petition and there was no proper communication from this Court. He further submits that on his advice, the 3rd respondent has agreed to pay the medical reimbursement amount together with interest and the entire amount would be settled to the petitioner within a period of one week from today.

4. This Court considered the rival submissions and perused the materials placed on record.

5. The petitioner has incurred medical expenses for her husband in the year 2015. The District Empowered Committee has also made a recommendation, directing the Insurance Company to pay a sum of Rs.67,000/- towards medical expenses. Even thereafter, the 3rd respondent has not paid the amount, which is due to the petitioner. While entertaining this writ petition, the learned counsel has taken notice for the 3rd respondent



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on 04.07.2019. Even then, the respondent Corporation has not paid the amount due to the petitioner. Therefore, this Court is inclined to allow this writ petition with a cost of Rs.25,000/- towards litigation expenses incurred by the petitioner for prosecuting this writ petition. However, on the persuasion made by the learned counsel for the 3rd respondent, this Court is inclined to allow this writ petition without cost.

6. Accordingly, this writ petition is allowed with a direction to the 3rd respondent to pay the medical reimbursement amount together with interest on or before 07.12.2024. No costs.

29.11.2024

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NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.



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B.PUGALENDHI, J.

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