



WP(MD) No.11788 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.06.2024**

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD) No.11788 of 2024

S.Ganapathi Nachiar

... Petitioner

Vs.

1. The State of Tamil Nadu

Rep. by its Additional Chief Secretary,
Finance Department, Fort St. George,
Chennai-600 009

2.The Commissioner of Treasuries and Accounts,

Integrated Office,
Buildings For the Finance Department,
Amma Complex,
No.571, Anna Salai, Nandanam,
Chennai - 600 035.



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3.The Additional Treasury Officer,
District Treasury,
Tirunelveli - 627 009.

4.M/s.United India Insurance Company Ltd.,
5th Floor, PLA Rathna Tower,
Raja Buildings, 212 Anna Salai,
Chennai-06

5.The Joint Director of Medical and Rural Health Services,
Tirunelveli @ Tenkasi,
Government Hospital Campus,
Near New Bus Stand,
Tenkasi-627 811.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the 4th respondent to reimburse the medical expenses of Rs.3,43,571.93/- with 12% interest to the petitioner under the Health Insurance Scheme with accordance with the G.O.Ms.No.165 Dated 01.06.2022.



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For Petitioner : Mr.R.J.Karthick

For Respondents : Mr.J.Ashok – for R1 to R3 & R5

Additional Government Pleader

Mr.A.Shajahan – for R4

ORDER

The present writ petition has been filed seeking a Writ of Mandamus to direct the 4th respondent to reimburse the medical expenses of Rs.3,43,571.93/- with 12% interest to the petitioner under the Health Insurance Scheme with accordance with the G.O.Ms.No.165 Dated 01.06.2022.

2. Heard Mr.R.J.Karthick, learned counsel for the petitioner and Mr.J.Ashok, learned Additional Government Pleader appearing for the respondents 1 to 3 and 5 and Mr.A.Shajahan, learned counsel for the fourth respondent.



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3. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

4. The petitioner claims that she is a beneficiary under NHIS. The petitioner's husband was diagnosed with Covid-19 and admitted in Meeran Hospital, Tenkasi, as an in patient from 22.05.2021 to 30.05.2021. Despite the claim has been forwarded by the second respondent to the fourth respondent, the fourth respondent has not given any reimbursement till now.

5. Since the matter is pending for a long time and such treatment taken by the beneficiary under the scheme is also entitled to get reimbursement in accordance with eligibility as per G.O.Ms.No.165 dated 01.06.2022, it is appropriate to direct the fourth respondent to consider the claim of the petitioner in accordance with the Government Order and also in the light of the



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earlier judicial pronouncement in W.P(MD)No.14959 of 2021 dated 18.07.2023.

6. In the light of the above, there shall be a direction to the fourth respondent to consider the claim petitioner in accordance with the Government Order in G.O.Ms.No.165 dated 01.06.2022 and also in the light of the earlier Judicial Pronouncement in W.P(MD)No.14959 of 2021 dated 18.07.2023 within a period of four weeks.

8. With the above direction, the Writ Petition stands **disposed of**. No costs.

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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.11788 of 2024

Dated:
06.06.2024