



W.P.(MD)No.16865 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.07.2024

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THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.(MD)No.16865 of 2024

and

W.M.P.(MD)No.14539 of 2024

A.Alagarsamy

... Petitioner

Vs.

1.The Commissioner of Treasuries and Accounts,
Amma Complex, 3rd Floor,
No.571, Nandanam, Anna Salai,
Chennai-600 006.

2.The Zonal Manager,
United India Insurance Company Limited,
PLA Rathna Tower 5th Floor,
Anna Salai, Chennai-600 006.

3.The District Treasury Officer,
O/o.District Treasury,
Collectorate Complex,
Madurai-625 020.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned refusal letters dated 04.01.2022 issued by the second respondent and quash the same and consequently direct the second respondent to provide the medical reimbursement of Rs.3,48,400/- (Rupees Three Lakhs Forty Eight Thousand and Four Hundred only) as per the Medical bills within the time frame as fixed by this Court.



W.P.(MD)No.16865 of 2024

For Petitioner : Mr.K.Muthumalai
For R1 & R3 : Mr.S.Shanmugavel
Additional Government Pleader
For R2 : Mr.A.Shajakhan
Standing Counsel

ORDER

This writ petition has been filed challenging impugned refusal letters dated 04.01.2022 issued by the second respondent and to direct the second respondent to provide the medical reimbursement of Rs.3,48,400/- (Rupees Three Lakhs Forty Eight Thousand and Four Hundred only) as per the Medical bills within the time frame as fixed by this Court.

2.Heard Mr.K.Muthumalai, learned counsel for the petitioner and Mr.S.Shanmugavel, learned Additional Government Pleader for the first and third respondents and Mr.A.Shajakhan, learned Standing Counsel for the second respondent.

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

4.The petitioner, who is said to be the beneficiary under the New Health Insurance Scheme has sought to reimburse a sum of Rs.3,48,400/- for the



W.P.(MD)No.16865 of 2024

medical treatment taken by himself and his wife in view of the Covid-19 infection. The claim of the petitioner has been rejected stating the following reasons:

N o.	ID	Name	Hospital	Date	Reason
1.	MD DL0 0381 1	Thiru A.Alagarsamy	Ahana Hospital Madurai	07.08.2020 to 12.08.2020	Non Critical Claims Under Corpus Fund Mode, The Treatment Shall Be Restricted in Network Hospital Only Hence The Claim Cannot Be Considered Under Both NHIS Scheme And Corpus Fund Mode.

5.It is needless to state that the petitioner has got an appeal remedy before the District Level Empowered Committee against the order passed under the New Health Insurance Scheme. However, the petitioner without preferring such appeal before the Committee, had straight away filed this writ petition. Since there is an alternative efficacious statutory remedy and it is not availed so far, the present Writ Petition is pre-matured.

6.Accordingly, this writ petition is **dismissed**. However, the petitioner is given with liberty to file an appeal before the District Level Empowered Committee and to raise whatever contentions he raised in this writ petition. On such filing, the District Level Empowered Committee shall consider the same



W.P.(MD)No.16865 of 2024

on its own merits and dispose of the same as expeditiously as possible in accordance with the Rules in force. No costs. Consequently, connected miscellaneous petition is closed.

25.07.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
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To

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W.P.(MD)No.16865 of 2024

R.N.MANJULA, J.

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W.P.(MD)No.16865 of 2024

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