



WP(MD). No.19359 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 04/06/2024

CORAM

THE HON'BLE Ms.JUSTICE R.N.MANJULA

WP(MD). No.19359 of 2022
and WMP(MD) No.14124 of 2022

Jayanthi S

... Petitioner

Vs

1. The Secretary to Government,
(Finance and Pension Department)
Secretariat, Fort St.George, Chennai.

2. The Commissioner of Treasuri,
Es and Accounts, Integrated Office
Complex For Finance Dept, 3rd Floor,
Veterinary Hospital Campus, Anna Salai,
Chennai-600 035.

3. The United India Insurance C,
O Ltd, Rep by its Divisional Manager,
Divisional Office Vi, 5th Floor, P..L.A.
Rathana Towers, No.212, Anna Salai, Chennai-6.

4. District Level Committee,
Rep by District Collector, Nagercoil,
Kanyakumari District.

5. The District Treasury Officer,
The District Treasury Office, Nagercoil,
Kanyakumari District.



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6. The Sub Treasury Office,
The Sub Treasury Office, Vilavancode,
Kanyakumari District.

... Respondents

PRAYER :- Writ Petition, filed under Article 226 of the Constitution of India, to amend the prayer of the writ petition as, prayed that this Honourable Court may be pleased to issue a Writ of Certiorarified Mandamus or any other writ or order or direction of a like to call for the records on the file of 5th respondent pertaining to its order bearing Rc.No.21977/2015-(59-2)/L2 dated 01.06.2022 and to quash the same and consequently direct the respondents to disburse Rs.1,93,838 spent by the petitioner and her husband for the treatment underwent by them.

(prayer amended vide order dated 19.12.2023 in WMP(MD) No. 25797/2023)

For Petitioner : M/s. Herold Singh S.C,
For Respondents : Mr.J.Ashok for R1, R2, R4-R6
Additional Government Pleader
Mr.C.Karthick for R3

ORDER

The petitioner's request for medical reimbursement has been rejected on the ground that the treatment has been taken in a non networking hospital and the line of treatment is non emergency.

2. Heard the learned counsel for the petitioner, the learned Additional Government Pleader for the respondents 1,2, 4 to 6 and the learned counsel for the third respondent.



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3. It is the case of the petitioner that despite the District Level Committee has recommended the claim of the petitioner, the 5th respondent has rejected the same stating that the treatment has been taken in a non networking hospital, the line of management is not covered.

4. Since the order has been passed by the the 5th respondent, the petitioner is entitled to file an appeal. However, in the impugned order, it is seen that the petitioner is required to produce certain documents and hence, there are chances if the petitioner produces those documents, the third respondent can consider and pass orders with regard to the entitlement of the petitioner for medical reimbursement.

5. In view of the same, the petitioner is directed to produce those documents so required by the third respondent within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the third respondent shall consider the matter afresh and pass further orders in accordance with law and on its own merits.



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6. The writ petition is disposed of with the above direction. No costs. Consequently connected Miscellaneous Petition is closed.

04.06.2024

NCC : Yes/No
Index : Yes/No

TO

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2. The Commissioner of Treasury,
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Complex For Finance Dept, 3rd Floor,
Veterinary Hospital Campus, Anna Salai,
Chennai-600 035.
3. The District Collector,
District Level Committee,
Nagercoil,
Kanyakumari District.
4. The District Treasury Officer,
The District Treasury Office, Nagercoil,
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6. The Sub Treasury Office,
The Sub Treasury Office, Vilavancode,
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R.N.MANJULA,J

RR

ORDER
IN
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