



W.P.(MD)No.17609 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.04.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

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R.Sathya

... Petitioner

VS.

1.The Chairman,
The District Level Empowered Committee (Covid-19)
& The District Collector,
Collectorate Complex,
Kumarasamy Raja Nagar,
Virudhunagar.

2.District Treasury Officer,
District Treasury,
Virudhunagar.

3.The Senior Divisional Manager,
United India Insurance,
Divisional Office - VI, V Floor,
PLA Rathna Tower,
212, Anna Salai, Chennai - 600 006.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Mandamus directing the respondents to disburse the balance bill amount of Rs.9,61,593.24/- by reimbursing the medical expenses incurred by the petitioner's husband for his



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treatment towards Covid-19 (as spouse) under the Insurance Coverage based upon the medical bills submitted by the petitioner and based upon the petitioner's representations dated 30.03.2022 and 07.07.2023 within the time stipulated by this Court.

For Petitioner : Mr.K.V.Subramanian
For Respondents : Mr.M.Lingadurai,
Special Government Pleader
for R1 and R2
Mr.A.Shajahan for R3

ORDER

Heard Mr.K.V.Subramanian, learned counsel for the petitioner, Mr.M.Lingadurai, learned Special Government Pleader for the respondents 1 and 2 and Mr.A.Shajahan, learned counsel appearing for the third respondent.

2. The petitioner has filed this writ petition praying to issue a Writ of Mandamus directing the respondents to reimburse the balance bill amount of Rs.9,61,593.24/- towards the medical expenses incurred by her husband for treatment towards Covid-19 (as spouse) on the basis of her representations dated 30.03.2022 and 07.07.2023.



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3. The petitioner who had spent a sum of Rs.14,89,583.24/- towards her husband's Covid-19 ailment coupled with Mucormycosis has applied for reimbursement through New Health Insurance Scheme, 2016. But, the petitioner has been sanctioned only with Rs.5,27,990/-. Seeking to disburse the balance amount, this petition is filed.

4. Mr.K.V.Subramanian, learned counsel appearing for the petitioner submitted that in the letter dated 02.02.2023 sent by the Chief Manager, United India Insurance Company Limited to the District Collector, Virudhunagar, no reason has been stated as to why the petitioner's claim was restricted to only a sum of Rs.5,27,990/-.

5. Mr.A.Shajahan, learned counsel for the third respondent submitted that, with regard to the treatment for Covid-19, there is no contract between the Government of Tamil Nadu and the Insurance Company and hence, the Government of Tamil Nadu, issued a G.O.Ms.No.280, Finance and Salaries Department dated 24.06.2020 in this regard. As per the said Government Order, the maximum eligible



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amount has already been disbursed to the petitioner and the petitioner now cannot come back to the New Health Insurance Scheme.

6. However, Mr.M.Lingadurai, learned Special Government Pleader appearing for the respondents 1 and 2 submitted that the petitioner if aggrieved can file an appeal before the State Level Empowered Committee.

7. The petitioner herein appears to have filed an appeal before the District Level Empowered Committee. But, so far, no order has been passed. Since the first respondent has to take a decision on the appeal filed by the petitioner and the same is pending without any orders, the first respondent is directed to consider the appeal of the petitioner dated 07.07.2023 on its own merits and pass orders in accordance with law within a period of six weeks from the date of receipt of a copy of this order.



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costs.



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8. With the above direction, the writ petition is **disposed of**. No

16.04.2024

NCC: Yes/No

Index : Yes/No

Speaking/Non-Speaking order

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To

1.The Chairman,
The District Level Empowered Committee (Covid-19)
& The District Collector,
Collectorate Complex,
Kumarasamy Raja Nagar,
Virudhunagar.

2.District Treasury Officer,
District Treasury,
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R.N.MANJULA, J.

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