



WP(MD). No.19952 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 04/06/2024

CORAM

The Hon'ble Ms.Justice R.N.MANJULA

WP(MD). No.19952 of 2022
and WMP(MD) No.14524 of 2022

Kavitha .T

... Petitioner

Vs

1. The Director,
Medical and Rural Welfare Department, Chennai..

2. The District Collector,,
Theni District..

3. The Joint Director,,
Medical and Rural Welfare Department,
Periyakulam, Theni District..

4. The General Manager,,
Md. India Health Insurance, Tpa Pvt.
Limited, Guna Complex, New Door No.443
and 445, Anna Salai, Teynampet,
Chennai - 600 018..

... Respondents

PRAYER :- Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorarified Mandamus, call for records in GTM276 / 09 / 2021 dated 16.09.2021 on the file of 4th respondent and quash the same as illegal, further directing the respondents to reimburse the medical expenditure of Rs.44,713 with interest at the rate of 9 percent per annum forthwith



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For Petitioner : M/s. Shakila .J,
For Respondents : Mr.N.Ramesh Arumugam
Government Advocate for R1 to R3
No appearance for R4

ORDER

The writ petition has been filed challenging the order of the 4th respondent dated 16.09.2021 and for a consequential direction to the respondents to reimburse the medical expenditure of Rs.44,713 with interest at the rate of 9 % per annum forthwith

2. Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents 1 to 3.

3. The petitioner is aggrieved due to the rejection of his medical reimbursement claimed by her under the new medical insurance scheme. The petitioner claims that her son is an employee and a member of Health Insurance Scheme. She further submitted that she had undergone surgery during the period from 26.10.2020 to 31.10.2020 by incurring a sum of Rs.44,713/- and claimed medical reimbursement with the 4th



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respondent. She has also given a representation to the 1st respondent.

However, the respondent No.4 has rejected the claim on the ground that the treatment was taken in a non networking hospital, challenging which, the petitioner is before this Court.

4. It is seen from the impugned order that the petitioner has been informed to approach the District Level Empowering Committee, in case, the petitioner is not satisfied with the order. The petitioner, without invoking the statutory remedy, has straight away filed this writ petition, which is not maintainable. However, the petitioner is at liberty to file an appeal before the District Level Empowered Committee and work out her remedy.

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

04.06.2024

RR

TO

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R.N.MANJULA,J

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**ORDER
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