



WP(MD). No.20182 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 04/06/2024

CORAM

THE HONOURABLE MS. JUSTICE R.N.MANJULA

WP(MD). No.20182 of 2022

Paramsivam .N.V

... Petitioner

Vs

1.The District Collector,
Collectorate, Madurai,
Madurai District..

2. The District Treasury Officer,
District Treasury,
Collectorate Complex,
Madurai - 625 020.

3. The United India Insurance Co., Ltd.,,
Represented by the Divisional
Manager, Divisional Office Vi, Pla
Rathna Towers, 5th Floor,
No.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 Certiorarified Mandamus, to call for the records pertaining to the impugned order in Na.Ka. No.7573/2021/M1, dated 07.2022 signed on 27.07.2022 on the file of the respondent No.2 and quash the same as illegal and consequently to direct the respondents to provide the



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medical reimbursement to the petitioner within the time stipulated by this Court.

For Petitioner : Mr.S.Louis
For Respondents : Mr.C.Karthick for R3
Mr.N.Ramesh Arumugam for R1 and R2
Government Advocate

ORDER

The writ petition has been filed challenging the order of the 2nd respondent dated 27.07.2022 and for a consequential direction to the respondents to provide the medical reimbursement to the petitioner.

2. Heard the learned counsel for the petitioner, the learned Government Advocate for the respondents 1 and 2 and the learned counsel for the 3rd respondent.

3. The petitioner is aggrieved due to the rejection of his medical reimbursement claimed by him under the new medical insurance scheme. The petitioner claims that he is a retired employee and a member of New Health Insurance Scheme. He further submitted that he had undergone



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treatment for his illness during the period from 24.07.2021 to 04.08.2021 by incurring a sum of Rs.3,35,640/- and claimed medical reimbursement to the 2nd respondent. His application was referred to the District Level Empowered Committee, which recommended the petitioner's claim on 24.01.2022 and sent to the respondent No.3. However, the respondent No.3 has returned the proposal on the ground that the diagnosis and the line of management are not covered. The 2nd respondent, in turn, has returned the papers to the petitioner, challenging which, the petitioner is before this Court.

4. It is the submission of the petitioner that despite the District Level Committee had recommended the claim of the petitioner, the insurance company has returned the same stating that the treatment has been taken in a non networking hospital and the line of management are not covered.

5. If the insurance company does not agree with the recommendation of the District Level Committee, the next course of action open to the insurance company is to file an appeal to the State



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Level Committee. Instead of filing an appeal, the insurance company has chosen to return the claim by assigning its own reasons superseding the reasons assigned by the District Level Empowered Committee.

6. In view of the erroneous procedure adopted by the respondents 2 and 3, the order itself is illegal and hence, the same is liable to be set aside.

7. Accordingly, the writ petition is allowed and the order of the 2nd respondent dated 27.07.2022 is set aside and the insurance company is directed to reimburse the claim made by the petitioner in accordance with the recommendation made by the District Level Committee. The said exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order. No costs.

04.06.2024

NCC : Yes/No
Index : Yes/No
RR



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R.N.MANJULA, J.

RR

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