



W.P(MD)No.9439 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.11.2024

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P(MD)No.9439 of 2018

A.Ramalingam

... Petitioner

Vs

- 1.The State of Tamil Nadu,
Represented by the Principal Secretary,
State of Tamil Nadu,
Health and Family Welfare Department,
Fort St. George,
Chennai - 600 009.
- 2.The Principal Secretary/Project Director,
Tamil Nadu Health Systems Project,
Teynampet,
Chennai - 600 006.
- 3.The Registrar,
The Tamil Nadu Medical Council,
New No. 914, Old No. 569,
Poonamallee High Road,
Arumbakkam,
Chennai - 600 106.
- 4.The District Collector,
Office of the District Collector,
Madurai District.
- 5.The Managing Director,
M/s.Meenakshi Mission Hospital & Research Centre,
Melur Road,
Madurai.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondent Nos.1 to 4 to take action against the respondent No.5 on the basis of the representation submitted by the petitioner dated 14.12.2017 in accordance with law, consequently to direct the respondent Nos.1 to 4 to instruct the Respondent No.5 to pay reimbursement of medical bill to the petitioner as per the Chief Minister Comprehensive Health Insurance Scheme along with fair and reasonable amount of compensation to the petitioner within the time stipulated by this Court.

For Petitioner	: Mr.R.Alagumani
For RR 1 to 4	: Mr.D.Sasi Kumar Additional Government Pleader
For R – 5	: Mr.M.Panneer Selvam

ORDER

This Writ Petition has been filed for a direction, directing the respondents 1 to 4 to take appropriate action as against the fifth respondent for not accepting the Chief Minister Comprehensive Health Insurance Scheme card for the treatment availed by the petitioner.

2.The petitioner suffered from a heart ailment and was admitted into the fifth respondent Hospital. The petitioner was



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advised to go for heart surgery for the removal of the block.

Therefore, the petitioner was directed to pay the initial amount for further processing. The petitioner produced a Chief Minister Comprehensive Health Insurance Scheme card and sought for treatment under the Insurance scheme. However, it was not accepted and directed the petitioner to pay the medical bill. Accordingly, the petitioner has paid the entire amount. Therefore, the petitioner submitted a complaint as against the fifth respondent to take appropriate action for not accepting the Chief Minister Comprehensive Health Insurance Scheme card.

3.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

4.On perusal of the counter-affidavit filed by the fifth respondent would reveal that when the petitioner was admitted into the Hospital and on the production of the Chief Minister Comprehensive Health Insurance Scheme card, he was clearly informed that the fifth respondent Hospital was de-listed from the Chief Minister Comprehensive Health Insurance Scheme and as such, it could not provide any treatment under the said scheme to



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the petitioner. Further, he was informed that if he wanted to continue the treatment in the same fifth respondent Hospital, he had to pay the amount otherwise he was advised to go to a Government Hospital for further treatment. Even then, the petitioner continued his treatment in the fifth respondent hospital and agreed to pay the medical bill. After payment of the medical bill and after discharge, the petitioner sought for action as against the fifth respondent. Therefore, the complaint lodged by the petitioner cannot be considered. The Writ Petition itself is devoid of merits and the same is liable to be dismissed.

5. Accordingly, the Writ Petition is dismissed. There shall be no order as to costs.

04.11.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
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G.K.ILANTHIRAIYAN, J.

ps

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