

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED : 06.09.2024****CORAM****THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN****C.R.P.(MD).No.1950 of 2024 and
C.M.P.(MD)No.11104 of 2024**

The Managing Director,
United India Insurance Company Ltd.,
LEO-010600, Ground Floor,
Gilingi Buildings,
134, Greams Road,
Chennai – 600 006.

... Petitioner/ 3rd Respondent

Vs.

1. S.Damayanthi

... 1st Respondent/ Complainant

2. The Chief Doctor,
Devadass Hospital,
75/1 Alagar Koil Main Road,
Surveyor Colony,
Madurai – 625 007.

3. The Sub Treasury Officer,
O/o.the Sub Treasury,
Sattur, Virudhunagar District.

4. The Managing Director,
India Health Insurance Pvt. Ltd.,
TPA Pensioner Scheme,
177, Ground Floor, Raheja Towers,



Mount Road – Anna Salai,
Chennai – 600 002.

... Respondents 2 to 4 /
Opposite Parties 1 to 3

PRAYER : Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the order of bailable warrant dated 22.07.2024 in E.A.No.25 of 2024 in C.C.No.12 of 2024 in continuation of that the issue of an order of arrest warrant on 23.07.2024 on the file of the District Consumer Redressal Commission against the petitioner.

For Petitioner : Mr.C.Karthik

For R-1 : Mr.M.Jothi Basu

For R-3 : Mr.K.Balasubramani,
Special Government Pleader.

For R-2 & R-4 : No appearance.

ORDER

Heard the learned counsel appearing for the revision petitioner and the learned counsel appearing for the first respondent and the learned Special Government Pleader appearing for the third respondent.

2.Questioning the arrest warrant issued against the petitioner, this civil revision petition came to be filed.



3. It is seen that the first respondent herein filed C.C.No.12 of 2024 on the file of the District Consumer Redressal Commission, Srivilliputhur at Virudhunagar District seeking medical reimbursement. Admittedly, the United India Insurance Company Ltd., was not shown as an opposite party in the said complaint. A copy of the order dated 07.03.2024 made in C.C.No.12 of 2024 has been enclosed. It has been issued only against the private hospital, The Sub Treasury officer, Sattur and the Managing Director of India Health Insurance Company Private Ltd. The United India Insurance company Ltd., is nowhere figuring in the picture. The first respondent committed a grievous error in impleading the petitioner herein in E.A.No.24 of 2024. The Consumer Forum committed a greater blunder by issuing arrest warrant. The Commission is directed to be careful before issuing arrest warrant. The arrest warrant issued against the petitioner is set aside. This civil revision petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

06.09.2024

Index : yes/No
Internet: Yes/No
PMU



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4

C.R.P.(MD)No.1950 of 2024

G.R.SWAMINATHAN,J.

PMU

To

The Sub Treasury Officer,
O/o.the Sub Treasury,
Sattur, Virudhunagar District.

C.R.P.(MD).No.1950 of 2024

06.09.2024