



WP(MD)No.18356 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 12.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.18356 of 2018

R.Manoharan

... Petitioner

Vs

1.The Director General of Police,
Tamil Nadu Police Headquarters,
Chennai.

2.The Superintendent of Police,
Sivagangai District.

3.The Divisional Manger,
United India Insurance Company Limited,
Divisional Office VI, 5th Floor,
PLA Rathna Towers,
No.212, Anna Salai,
Chennai – 600 006.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of certiorarified mandamus calling for the records pertaining to the impugned notification in Na.Ka.No.G1/26576/15, dated 05.07.2018 and quash the same and further direct the 1st and 2nd respondents to forward the petitioner's claim petition under NHIS 2012 which is pending on the file of he 3rd respondent in RE:NHIS-R.Manoharan – NOC dated 14.10.2015 to get



WP(MD)No.18356 of 2018

reimbursement from Tamil Nadu Police Benevolent Fund with interest to the credit of the petitioner.

For Petitioner : Mr.J.Vijaya Raja
For Respondent : Mr.G.V.Vairam Santhosh,
Nos.1 and 2 Additional Government Pleader
For Respondent : Mr.C.Karhick
No.3

ORDER

The petitioner a retired Special Sub Inspector of Police has requested for reimbursement of medical expenses of Rs.1,33,138/- incurred by him towards his son's treatment for vascular surgery in the year 2015. The petitioner was paid a sum of Rs.65,138/- by the 3rd respondent insurance company based on the New Health Insurance Scheme, 2012. The petitioner has requested the insurance company to issue a certificate for part payment made by them and to claim the remaining amount from the Tamil Nadu Police Benevolent Fund. The insurance company has also issued a certificate on 14.10.2015 to that effect. With this certificate the petitioner has approached the 2nd respondent claiming reimbursement of balance amount and the petitioner's claim was rejected by order dated 05.07.2018. The said order of the 2nd respondent dated 05.07.2018 is challenged in this writ petition.



WP(MD)No.18356 of 2018

2.The learned Counsel for the 2nd respondent by referring to the circular No.MOO.MOO.No.106867/TNPBF(1)/2009, dated 13.04.2010 submits that the benefits under the Tamil Nadu Police Benevolent Fund would be provided only on the following categories:

“i.Life threatening diseases such as cancer, heart surgery, renal failure, spinal cord problem and brain tumor, etc.,

ii. Injuries suffered while on duty and

iii. Road accidents.”

3.The learned Counsel for the petitioner by referring to GO.Ms.No.462 Finance (Pension) Department dated 27.12.2013 submits that as per clause 3 (vi) of this government order, the petitioner is entitled for the balance amount from the Tamil Nadu Police Benevolent Fund. The said clause is extracted as under:

“3(vi) the amount of the pensioners contributing to the scheme will be decided after the selection of the insurance company and finalisation of the costs.”

4.With regard to the Tamil Nadu Police Benevolent Fund, instructions have been issued vide circular dated 06.12.2010 by the



WP(MD)No.18356 of 2018

department. As per the said circular, Rs.4 lakh will be provided to the subscriber under the Tamil Nadu Benevolent Fund only on the above mentioned three categories.

5. Therefore, this Court does not find fault with the impugned order. Accordingly, this writ petition is dismissed. No costs.

12.12.2024

DSK

To

1. The Director General of Police,
Tamil Nadu Police Headquarters,
Chennai.
2. The Superintendent of Police,
Sivagangai District.
3. The Divisional Manger,
United India Insurance Company Limited,
Divisional Office VI, 5th Floor,
PLA Rathna Towers,
No.212, Anna Salai,
Chennai – 600 006.



WEB COPY



WP(MD)No.18356 of 2018

B.PUGALENDHI.J.,

DSK

WP(MD)No.18356 of 2018

12.12.2024