



WP(MD) No.26444 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.06.2024**

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD) No.26444 of 2023

J.Pushparani

... Petitioner

Vs.

1. The Joint Director of Medical and Rural Health Services,
St.Thomas Road, Maharaja Nagar,
Palayamkottai, Tirunelveli.

2. The District Collector,
Tirunelveli District,
Tirunelveli.

3. M/s.United India Insurance Company,
Rep. by its Divisional Manager,
Divisional Office, 5th Floor,
PLA Rathna Tower,
Raji Buildings, 212, Anna Salai,



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Chennai- 600 006.

4.The Treasury Officer,
District Treasury,
Tirunelveli.

...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 of the 1st respondent in Na.Ka. No.3615/NHIS/2022 dated 09.05.2023 and quash the same as devoid of merits and consequently direct the respondents to reimburse the medical treatment bill to the value of Rs.1,73,545/- with applicable interest under the New Health Insurance Scheme 2018 for pensioners (including spouse)/family pensioners based on the petitioner's claim dated 18.08.2022.

For Petitioner : Mr.Ananth C.Rajesh

For Respondents : Mr.M.Lingadurai
Special Government Pleader
for R1, R2 and R4

: Mr.A.Shajahan for R3



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ORDER

The present writ petition has been filed seeking a Writ of Certiorarified Mandamus challenging the proceedings of the 1st respondent in Na.Ka. No.3615/NHIS/2022 dated 09.05.2023 and for consequential direction to the respondents to reimburse the medical treatment bill to the value of Rs.1,73,545/- with applicable interest under the New Health Insurance Scheme 2018 for pensioners (including spouse)/family pensioners based on the petitioner's claim dated 18.08.2022,

2. Heard Mr.Ananth C Rajesh, learned counsel for the petitioner, Mr.M.Lingadurai, learned Special Government Pleader appearing for the respondents 1,2 &4 and Mr.A.Shajahan learned counsel appearing for the 3rd respondent.

3. The petitioner has made a claim for medical reimbursement under the NHIS scheme to the tune of Rs.1,73,545/-



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for the treatment undertaken by the petitioner's husband as inpatient at KIMS Health Hospital, Trivandrum from 22.07.2022 to 31.07.2022. The claim of the petitioner was rejected by the District Level Empowering Committee for the reason that the hospital in which the petitioner's husband had taken treatment does not come under the network hospital and it is a non emergency treatment and hence it is not covered under the scheme.

4. Mr.M.Lingadurai, learned Special Government Pleader submitted that the petitioner can make his further appeal before the State Level Empowering Committee, if he is aggrieved by the order of the District Level Empowering Committee dated 09.05.2023. However, the petitioner has come up with this writ petition directly without exhausting the appeal remedy.

5. Hence, this writ petition is dismissed. However, the petitioner is at liberty to file an appeal before the State Level



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Empowering Committee within a period of two weeks from the date of receipt of a copy of this order. No Costs.

05.06.2024

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
PJJ

To

1. The Joint Director of Medical and Rural Health Services,
St.Thomas Road, Maharaja Nagar,
Palayamkottai, Tirunelveli.

2. The District Collector,
Tirunelveli District,
Tirunelveli.

3.The Divisional Manager,
M/s.United India Insurance Company,
Divisional Office, 5th Floor,
PLA Rathna Tower, Raji Buildings,
212, Anna Salai,
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4.The Treasury Officer,
District Treasury,
Tirunelveli.



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R.N.MANJULA, J.

PJL

Order made in
W.P.(MD)No.26444 of 2023

Dated:
05.06.2024