



W.P.(MD)No.16336 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.09.2024

CORAM

THE HON'BLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD)No.16336 of 2017

D.Veerasamy

: Petitioner

Vs.

1.The District Treasury Officer,
District Treasury Office,
Mettupatti,
Dindigul,
Dindigul District.

2.The United India Insurance Company Ltd.,
MD India Healthcare Services (TPA) Pvt. Ltd.,
No.27, Lakshmi Towers, 3rd Floor,
Dr.Radhakrishnan Salai,
Mylapore,
Chennai – 600 004.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Certiorarified Mandamus, calling for the records of the first respondent pertaining to its proceedings in Na.KA.No.528/2017/S.1 dated 20.07.2017 and quash the same and consequently to direct the respondents to reimburse the medical



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expenses of Rs.1,82,000/- incurred by the petitioner for taking medical treatment at Kuppusamy Naidu Hospital, Coimbatore.

For Petitioner : Mr.R.Saravanan

For Respondent No.1: Mr.G.Suriya Ananth

Additional Government Pleader

ORDER

This Writ Petition has been filed challenging the order dated 20.07.2017 passed by the first respondent rejecting the petitioner's request for reimbursement of his medical expenses amounting to Rs.1,82,000/- incurred by him for taking medical treatment at Kuppusamy Naidu Hospital, Coimbatore on the ground that the said hospital is a non-network hospital.

2.The issue involved in this Writ petition has now been settled by various decisions rendered by this Court including the decision rendered by the Division Bench of this Court and it has been consistently held that even in case of non-network hospitals, the Government servants are entitled for reimbursement of their medical expenses under the Insurance scheme of the Government. The petitioner is a Police Constable and he has also retired from service on 30.06.2016 without any allegation against him. The petitioner has incurred expenses for his medical treatment namely for his bye-pass



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operation for the removal of three blocks in his heart. Being a Government servant, as per the Health Insurance Scheme of the Government, he is entitled for reimbursement of his medical expenses.

3.In view of the settled law as laid down by the decisions rendered by this Court, the petitioner is entitled for reimbursement irrespective of the hospital where he had taken the medical treatment. Therefore, by total non-application of mind to the settled law, the impugned order has been passed rejecting the petitioner's request for reimbursement of his medical expenses on the ground that the petitioner had taken treatment in a non-network hospital.

4.For the foregoing reasons, the impugned order dated 20.07.2017 passed by the first respondent has to be quashed and the writ petition will have to be allowed.

5.Accordingly, the impugned order dated 20.07.2017 passed by the first respondent is hereby quashed and this Writ Petition is allowed by directing the respondents to reimburse the eligible medical expenses incurred by the petitioner for his medical treatment underwent at Kuppusamy Naidu Hospital, Coimbatore within a period of twelve [12] weeks from the date of receipt of a copy of this order.



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6.With the aforesaid direction, this Writ Petition stands allowed. There shall be no order as to costs.

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Index :Yes / No

Internet : Yes / No

NCC : Yes/No

MR



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To
The District Treasury Officer,
District Treasury Office,
Mettupatti,
Dindigul,
Dindigul District.



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ABDUL QUDDHOSE, J.

MR

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