



W.P.No. 3251 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 09.04.2025

CORAM:

THE HONOURABLE MR JUSTICE C.V. KARTHIKEYAN

W.P.No.3251 of 2024

M. Prabakar

... Petitioner

VS

1.The Divisional Engineer
Highways Department
Rasipuram
Namakkal District.

2. The District Treasury Officer,
Namakkal
Namakkal District.

3. The Regional Manager
United India Insurance Company Limited
Divisional Office, VI, PLA Rathna Towers
5th Floor, 212, Anna Salai,
Rajaji Buildings,
Chennai 600 006.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus or any other Writ or order of similar nature Calling for the records relating to the Order passed by the 2nd Respondent in Na.Ka. No.108/ 2021 / A, dated 18-03-2021 and quash the same and consequently direct the 3rd



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Respondent to Pay Rs.2,45,000 /- towards Medical Reimbursement Scheme Covered under G.O. Ms. No. 202 Finance (Pension) Department, dated 30-07- 2016.

For Petitioner : Mr. A. Jayachandran
For R1 & R2 : Mr. V. Nanmaran
Additional Government Pleader

ORDER

This Writ Petition has been filed in the nature of a certiorarified Mandamus seeking records relating to the order passed by the second respondent, the District Treasury Officer, Namakkal District, in Na.Ka.No.108/2021/A dated 18.03.2021 and to quash the same.

2. In the affidavit filed in support of the writ petition, it had been contended that the petitioner is working as a Skilled Assistant Grade-II, Assistant Divisional Engineer (H), Construction and Maintenance, Rasipuram, Namakkal District. The petitioner had joined the Medical Reimbursement Scheme and amounts have been deducted from his salary on and from 01.07.2016.



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3. On 05.07.2019 the petitioner was diagnosed with Diabetes

WEB.COM Mellitus-Recent Inferior Wall Myocardial Infarction (15/6/2019)

Coronary Artery Disease-Triple Vessel Disease-Adequate LV function-Sinus Rhythm. Coronary Artery Bypass Graft X 2 was proposed and the petitioner was admitted as an inpatient in G.Kuppusamy Naidu Memorial Hospital, Pappanaickenpalayam, Coimbatore. He underwent an operation and was discharged on 09.07.2019. The petitioner incurred an expense of Rs.2,41,487/-. He had also spent miscellaneous charges. He made an application for medical reimbursement. This was rejected by the second respondent only on the ground that the said hospital, where the petitioner took treatment, was a non network hospital. That reason simplicitor will have to be set aside. Any individual can take treatment in a non network hospital provided the treatment is to be administered emergently. That aspect has to be considered by the second respondent. It is also to be noted that the first respondent recommended clearance of the medical claim of the petitioner herein. The impugned order is, therefore, set aside. The matter is remitted back to the second respondent to examine the entire records of the petitioner commencing from the nature of ailment, the diagnosis, the advice given by the doctor, the treatment given and thereafter, the amount spent towards treatment and



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also the recommendations of the first respondent and to pass fresh orders.

Necessary orders must be passed within a period of two weeks from the date of receipt of a copy of the order.

4. With the above directions, the Writ Petition stands disposed of.

No costs.

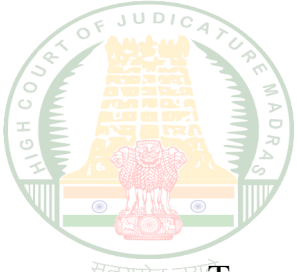
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Internet : Yes / No

Index: Yes / No

Speaking order / Non speaking order

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To
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