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W.P No.9730 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2025

CORAM

THE HONOURABLE MR. JUSTICE C.KUMARAPPAN

Writ Petition No.9730 of 2025
and
Writ Miscellaneous Petition No.10901 of 2025

Periyasamy

... Petitioner

..Vs..

1.The Government of Tamil Nadu,
By its Secretary,
Finance Department,
Chennai.

2.The District Collector,
District Level Empowered Committee,
Government Employees Medical Insurance Scheme,
Namakkal.

3.The Joint Director of Medical and Rural Health Services,
Member Secretary,
District Level Empowered Committee,
Namakkal.

4.United India Insurance Company Limited,
Divisional Office-6, 5th Floor,
PLA, Rethina Towers,
712, Anna Salai, Chennai – 06.

5.MD India Health Services (TPA) Pvt. Ltd.,



W.P No.9730 of 2025

By its Project Director,
27/7, Lakshmi Towers,
Dr.Radhakrishnan Salai, Cehennai – 04.

6.The District Treasury Officer,
District Treasury Office,
Namakkal.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Certiorarified Mandamus to call for the records of the 4th respondent Ref.010600/CRS-19/133/MDI/2023 dated 23.08.2023 and quash the same as illegal direct the 4th respondent to pay Rs.3,49,932/- to the petitioner along with interest at the rate of 12% per annum from the date of filing this writ petition to till the date of realization.

For Petitioner : Mr.S.Muthukrishnan

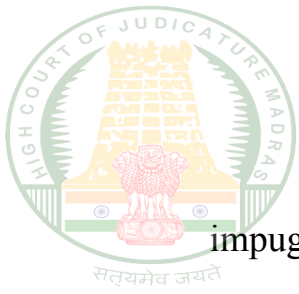
For Respondents : Mr.M.Azizullah Khan,
Government Advocate for RR1 & 6

Mr.N.Naveen Kumar,
Government Advocate for R2

Mr.K.Tippu Sultan,
Government Advocate for R3

ORDER

The present writ petition has been filed with a prayer to quash the



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impugned proceedings in Ref.010600/CRS-19/133/MDI/2023 dated 23.08.2023 passed by the 4th respondent.

2. The learned counsel appearing on behalf of the petitioner would submit that the petitioner was appointed as craft instructor on 22.10.1973 and thereafter, retired from service on superannuation on 31.05.2004 from the Government Higher Secondary School at Kalappanackiyampatti. The petitioner has underwent treatment at Kovai Diabetes Speciality Centre and Hospital at Coimbatore. When the petitioner sent an application for reimbursement of medical expenditure, the same was reneged by quoting G.O.Ms.No.222, dated 30.06.2018.

3. At this juncture, the learned Government Advocate appearing on behalf of the respondents would invite the attention of this Court about the order passed by the learned Single Judge in the batch of writ petitions in W.P.(MD).No.13429 of 2013 etc., batch dated 28.05.2019, wherein, the learned Single Judge after elaborately analyzing the length and breadth of the issue has ultimately called out the principles to be followed. For ready



reference Para 80 of the Judgment is extracted hereunder:

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“80. In order to reconsider all these claim made by the respective writ petitioners for medical reimbursement, by remitting the matters back, the following directions are issued:

(i) All the impugned orders in the respective writ petitions in this batch of cases, are hereby quashed.

(ii) The writ petitions where impugned orders are quashed as well as the writ petitions where mandamus sought for, are hereby remanded with directions to the concerned District Level Empowered Committee, before whom, these matters shall be placed and the Committee shall reconsider every individual case.

(iii) While reconsidering, the Committee shall not reject any claim merely on the reason of non network hospital or non listed disease.

(iv) The Committee, wherever possible, shall give suitable direction to the Insurance Company to reimburse the claim made by the respective claimant / employee / pensioner.

(v) If the Committee finds some cases where the Insurance Company cannot be directed to reimburse, in those cases, suitable orders shall be passed directing / recommending the State authorities to reimburse the claim under Medical Attendance Rules.

(vi) Once such orders are passed, the Insurance Company shall immediately reimburse the medical claim with 6% interest from the date of due till date of payment, within a period of thirty days from the date of receipt of such order to



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be passed by the Empowered Committee of the District concerned.

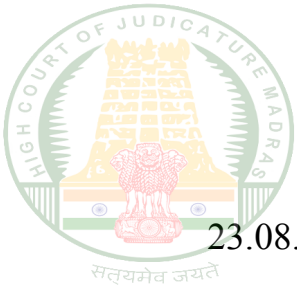
(vii) On receipt of such orders / recommendation from the Empowered Committee, the Sanctioning authority / State authority / High Power Committee in the State Level shall pass necessary orders allowing the medical reimbursement claimed by the individual claimant / employee / pensioner under the Medical Attendance Rules.

(viii) While ordering medical reimbursement under Medical Attendance Rules, the rate approved, accepted or quoted by the Insurance Company under the Medical Insurance Scheme shall be taken as the rate and by calculating the reimbursement on the said rate, the reimbursement claim shall be immediately sanctioned and the amount shall be reimbursed to the claimant with 6% interest from the date of due till date of payment, within a period of thirty days from the receipt of the recommendation / order from the District Empowered Committee.”

4. I have given my anxious consideration on either side submission.

5. In view of the order of the learned Single Judge of this Court in W.P.(MD).No.13429 of 2013 etc., batch dated 28.05.2019, the impugned order dated 23.08.2023 is liable to be quashed.

6. In the result, the writ petition is allowed. The impugned order date



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23.08.2023 is quashed. The matter is remitted back to the 2nd respondent /The

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District Collector, District Level Empowered Committee, Government Employees Medical Insurance Scheme, Namakkal for fresh consideration in accordance with applicable Rules and in line with the Judgment of this Court in W.P.(MD).No.13429 of 2013, dated 28.05.2019. No costs. Consequently, the connected miscellaneous petition stands closed.

27.06.2025

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Index : Yes

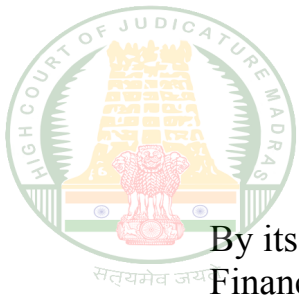
Speaking Order : Yes/No

Neutral Citation Case: Yes/No

To:

1.The Government of Tamil Nadu,

6/11



W.P No.9730 of 2025

By its Secretary,
Finance Department,
Chennai.

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2.The District Collector,
District Level Empowered Committee,
Government Employees Medical Insurance Scheme,
Namakkal.

3.The Joint Director of Medical and Rural Health Services,
Member Secretary,
District Level Empowered Committee,
Namakkal.

4.United India Insurance Company Limited,
Divisional Office-6, 5th Floor,
PLA, Rethina Towers,
712, Anna Salai, Chennai – 06.

5.MD India Health Services (TPA) Pvt. Ltd.,
By its Project Director,
27/7, Lakshmi Towers,
Dr.Radhakrishnan Salai, Chennai – 04.

6.The District Treasury Officer,
District Treasury Office,
Namakkal.

C. KUMARAPPAN, J.

ssi



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27.06.2025

WP NO. 9730 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **21-07-2025**



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CORAM
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

WP NO. 9730 of 2025
AND
WMP NO. 10901 OF 2025

PERIYASAMY
S/o. Palani Muthu 57 Nadu Street, Pudur
Kalaplanakiyanpatti Post, Senthamangalam Taluk,
Namaka L District

Petitioner(s)

Vs

The Government Of Tamilnadu
By Its Secretary, Finance Department, Chennai and
5 Others

Respondent(s)

WMP NO. 10901 of 2025

PERIYASAMY
S/o. Palani Muthu 57 Nadu Street, Pudur
Kalaplanakiyanpatti Post, Senthamangalam Taluk,
Namaka L District

Petitioner(s)

Vs

The Government Of Tamilnadu
By Its Secretary, Finance Department, Chennai and
5 Others

Respondent(s)

WP NO. 9730 of 2025

For Petitioner(s):

M/s. S.Muthukrishnan

For Respondent(s):

M/s.M.Azizullah Khan GA For Rr1 & 6



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Mr.N.Naveen Kumar Govt.Advocate For R2
Mr.K.Tippu Sultan, Govt.Advocate For R3
M/s. P.Athiveerarama Pandian, For R4

WMP NO. 10901 of 2025

For Petitioner(s):
For Respondent(s):

ORDER

The matter is today listed under the caption 'for being mentioned'.

2.It is mentioned that the fourth respondent counsel appearance is not mentioned in the order dated 27.06.2025.

3.Heard both side.

4.Registry is directed to mention the name of Mr.P.Athiveerarama Pandian for R4 in the appearance portion of the order dated 27.06.2025 in W.P.No.9730 of 2025 and issue fresh order copy to the respective learned counsel appearing for the parties.

21-07-2025

WP NO. 9730 of 2025

To

1. The Government Of Tamilnadu

By Its Secretary, Finance Department, Chennai

2. The District Collector

DISTIRCT LEVEL EMOWERED COMMITTEE, GOVERNMENT
eMPOYEEES MEDICAL INSURANC E SCHEME, NAMAKKAL

3. The Joint Director Of Medical And Rural Health Services Member
Secretary

District Level Empowered Committee, Namakal

10/11



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4. United India Insurance Company Limited

Divisional Office 56 5 Th Floor, Pla, Rethina Towers, 712 Anna Salai,
Chennai 06

5. Md India Health Services (tpa) Pvt Ltd

By Its Project Director, 27/7 Lakshmi Towers, Dr Radhakrishnan Salai,
Chennai 04

6. The District Treasury Officer

District Treasury Office, Namakal

WMP NO. 10901 of 2025

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By Its Secretary, Finance Department, Chennai

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