



W.P.No.12122 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.01.2025

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THE HON'BLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.12122 of 2020

and WMP.Nos.14865 & 14866 of 2020

1. R.K.Govindasamy
2. G.Kasthuri

... Petitioners

Vs.

1. The Additional Chief Secretary to Government,
Finance (PC) Department,
Fort St.George, Chennai-9.
2. The Director of Medical &
Rural Health Services and
Family Welfare Department,
Teynampet, Chennai-6.
3. The Director of Treasuries & Accounts Department
III Floor, Nandanam,
Chennai 600 035.
4. The Joint Director of Medical Rural,
Health & Family Welfare Dept,
Cuddalore District.
5. The District Collector,
Cuddalore District,
Cuddalore.



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6. United India Insurance Co., Ltd.,
rep.by General Manager,
No.24, Whites Road, Chennai 600 014.

7.M.D.India Welfare (PCA) Services P.Ltd.,
27, Nalu Towers, III Floor,
Dr.Radhakrishnan Salai,
Mylapore, Chennai-7.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Certiorarified Mandamus calling for the records of the 4th respondent in connection with the impugned order passed by him in Na.ka.No.708//K7/2000 dated.6.7.2000 and quash the same and direct the respondents to reimburse the expenses claimed by the 2nd petitioner for the treatment undergone by her to the tune o Rs.1,50,000/- and draw and disburse the same at an early date along with interest at 6% p.a.

For Petitioner : M/s.Muthappan

For R1 to R5 : Mr.K.Tippu Sulthan
Govt.Advocate

For R6 : No Appearance

ORDER

This writ petition has been filed challenging the impugned order



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passed by the fourth respondent dated 06.07.2020 and to quash the same and for a consequential direction to the respondents to reimburse the expenses claimed by the 2nd petitioner for the treatment undergone by her to the tune of Rs.1,50,000/- and draw and disburse the same at an early date along with interest at 9% p.a.

2. The brief facts of the case are as follows:-

The 1st petitioner was working as Deputy Block Development Officer in the Rural Department and superannuated his from service on 31.03.1993. The petitioner's wife namely, Tmt.Kasthuri underwent emergent special surgery in TOSH (Trauma & Orthopedic Specialty Hospital), Chennai on 10.01.2018 and undergone treatment as an inpatient from 10.01.2018 to 12.01.2018 and and the petitioner spent Rs.1,50,000/. The 1st petitioner applied for reimbursement of the medical expenses undergone for the treatment and the said claim was rejected by the 4th and 5th respondents stating that the petitioner had undergone surgery in the non-approved hospital notified by the Government and the operation not being an emergent one and hence the amount could not be sanctioned. Challenging the said rejection order passed by the fourth respondent, the



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petitioner has filed the present writ petition before this Court.

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3. The learned counsel appearing for the petitioner submitted that District Level Committee has passed vide order dated 06.07.2020 rejecting the medical claim of the petitioner. But, the petitioners have not preferred any appeal before the State Level Committee till date.

4. The learned Government Advocate appearing for the respondents 1 to 5 submitted that since the first petitioner has not approached the State Level Committee and hence they may be directed to approach the same, within the stipulated time that may be fixed by this Court.

5. Heard both sides and perused the materials available on record.

6. In view of the above submissions made by the learned counsel on either side, the petitioner is directed to give a representation before the State Level Committee as per the impugned order dated 06.07.2020 within a period of two weeks from the date of receipt of a copy of this order. On such receipt of the same, the State Level Committee may consider the



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same, on merits, in accordance with law, as expeditiously as possible.

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7. This writ petition stands disposed of with the above observation and direction. No costs. Consequently, connected miscellaneous petitions are closed.

06.01.2025

Index : Yes/No.
Internet : Yes/No.
Neutral Citation : Yes/No
Speaking : Non-speaking Order
kkd

To

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5. The District Collector,
Cuddalore District,
Cuddalore.
6. The General Manager,
United India Insurance Co., Ltd.,
No.24, Whites Road, Chennai 600 014.

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