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W.P.No.15973 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 8/4/2025

C O R A M

The Hon'ble **Mrs.JUSTICE V.BHAVANI SUBBAROYAN**

Writ Petition No.15973 of 2023

P.T.Selvam

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Petitioner

Vs

1. The Secretary to the Government
Home (Police) II Department
Fort St. George
Chennai 9.
2. The Director General of Police
Dr. Radhakrishnan Salai
Mylapore
Chennai 4.
3. The Superintendent of Police
Villupuram District
Villupuram.
4. The Nodal Officer
United India Insurance Company Ltd
No.9 II Floor
District Collector Officer
Villupuram.



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5. The United India Insurance Health
Care (TPAA Pvt Ltd)
United India Insurance Company Ltd
27 Laxmi Tower, III Floor
Dr. Radhakrishnan Salai
Mylapore
Chennai 4.

...

Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India
praying for the issuance of a writ of mandamus to direct the respondents to
draw and disburse a sum of Rs.5,78,564/- towards medical expenses
incurred by the petitioner for the heart surgery performed to him at Institute
of Cardiology disease (unit of Madras Medical Mission Hospital),
Mugappair, Chennai 37.

For petitioner

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Mr.K.Venkataramani
Senior Advocate
for Mr.M.Muthappan

For respondents

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Mr.R.U.Dinesh Rajkumar
Additional Government Pleader
for R.R.1 to 3.

Mr.P.Sankaranarayanan
for R.R.4 and 5

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ORDER

This writ petition has been filed to direct the respondents to draw and disburse a sum of Rs.5,78,564/- towards medical expenses incurred by the petitioner for the heart surgery performed to him at Institute of Cardiology disease (unit of Madras Medical Mission Hospital), Mugappair, Chennai 37.

2. The case of the petitioner is that the petitioner having undergone treatment in the listed hospital for heart ailment, State Government having arrangement with Insurance Company with a limit of Rs.10,00,000/- are liable to pay the entire medical expenses incurred by the petitioner. As the respondents have failed to pay the remaining amount of Rs.5,78,564/- incurred by the petitioner towards medical expenses in Madras Medical Mission Hospital for Cardiology surgery, along with interest @ 9% p.a., the petitioner has come forward with the instant writ petition.

3. Heard Mr.K.Venkataramani, learned Senior Advocate for the petitioner, Mr.R.U.Dinesh Rajkumar, learned Additional Government Pleader for the respondents 1 to 3 and Mr.P.Sankaranarayanan, learned counsel for the respondents 4 and 5.



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4. The learned counsel appearing for the respondents 4 and 5 would submit that the petitioner was admitted for palpitation and mitigation at Indira Gandhi General Hospital, Puducherry, where initial baseline treatment was performed and later shifted to MMM Hospital, Chennai. They have performed with AICD implant through Radio frequency ablation.

5. He would further submit that the technique of Radio frequency ablation will not cover under the scheme. At the time of final approval itself, the respondents have mentioned in their remarks column that they will approve only for pace maker charges and radio frequency charges will not cover. Thus, it is clear that approval of Rs.1,30,000/- stands valid only for PPI and not for AICD implantation and Radio Frequency ablation.

6. He would further submit that if the petitioner is having any grievance, he can very well approach the Joint Director of Medical and Rural Health Services of the District concerned for placing before District Level Empowered Committee for redressal. The said Committee is headed by the District Collector with the Joint Director of Medical and Rural



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Health Services, the District Treasury Officer and a representative of the Insurance Company as members.

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7. Perused the materials available on record.

8. A bare perusal of G.O.Ms.No.202 dated 30/6/2016 under Annexure II, under S.No.6 it is clearly mentioned that permanent and temporary pace maker implantation is only covered, whereas the patient performed with AICD implant which is an advanced version and this will be a part of pacemaker.

9. In view of the submission made by the learned counsel appearing for the respondents 4 and 5, this Court directs the petitioner to submit a representation, ventilating his grievance with regard to the claim of the petitioner, to the District Level Empowered Committee, within a period of four weeks, from the date of receipt of a copy of this order and on receipt of the same, the District Level Empowered Committee shall consider the case of the petitioner and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks thereafter.



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10. With the above direction, this writ petition is disposed of. No costs.

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mvs.

Index: Yes/No

Neutral Citation: Yes/No



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