



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.10.2025

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CORAM:

THE HONOURABLE MR. JUSTICE T.VINOD KUMAR

W.P.No.24529 of 2019

S.Valliammal

... Petitioner

vs

1. Tamil Nadu Generation and Distribution Corporation Ltd.,
Rep. By its Secretary,
144, Anna Salai, Chennai – 2.
2. The Chairman cum Managing Director,
Tamil Nadu Generation and Distribution Corporation Ltd.,
144, Anna Salai, Chennai – 2.
3. The Superintending Engineer (P&A),
North Chennai Thermal Power Station – I,
Chennai – 600 120.
4. The United India Insurance Co. Ltd.,
Divisional Office,
First Floor, Silingi Building
134, Greams Road, Chennai – 600 006.
5. MD Indian Health Care Services
(TPA) Pvt. Ltd.,
Regional Office,
No.27/7, Lakshmi Towers,
3rd Floor, Dr.R.K.Salai,
Mylapore, Chennai – 4.

... Respondents



Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the order dated 19.01.2019 in Letter No.67867/A17/A172/2018-2 passed by the first respondent and consequently, direct the respondents to accept the petitioner application along with annexures and to reimburse him forthwith a sum of Rs.2,39,836/- which he has incurred towards treatment and surgery expenses, together with interest at the rate of 12% per annum, award costs.

For Petitioner : Ms.H.Nandhini
for Mr.R.Krishnaswamy
For Respondents : Mr.K.Rajkumar
Standing Counsel for R1 to R3
: Mr.T.Shanmugam for R4
: No Appearance for R5

ORDER

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents 1 to 3 and the learned counsel for the fourth respondent and perused the record.

2. The case of the petitioner in brief is that she being an employee of the first respondent corporation is covered under New Health Insurance



Scheme (NHIS) notified by the first respondent for the block period of 4 years from 01.07.2016 to 30.06.2020; that her husband who had taken Voluntary Retirement from his employment and living with her, had suffered medical emergency on 14.08.2018 and was admitted to nearby hospital, whereat, on being diagnosed as having Ischemic Heart Disease, was provided medical treatment and was discharged on 18.08.2018.

3. It is the further case of the petitioner that since the petitioner's husband was admitted to hospital for being provided with medical treatment on emergency, being a non-notified hospital under the Insurance Scheme obtained by the first respondent from the fourth respondent, the petitioner had made payment of medical expenses on her own amounting to Rs.2,39,836/- and thereafter, approached the third respondent and submitted her claim seeking reimbursement of the medical expenses incurred, *vide* application dated 10.09.2018; and that the same was forwarded to the first respondent being the sanctioning authority.

4. The petitioner further contended that the said application as submitted by the petitioner seeking reimbursement of medical expenses incurred for providing treatment for her husband, was returned by the



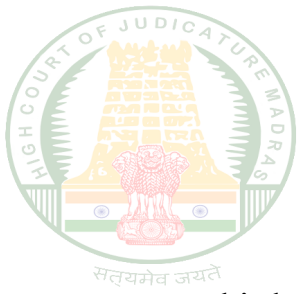
respondent/authority on 16.10.2018, directing the petitioner to apply in proper forum; and that the petitioner duly complied with the same by re-submitting the claim on 12.11.2018.

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5. It is the further case of the petitioner that despite the petitioner submitting the claim for reimbursement in proper forum enclosing all the documents and supporting bills, the first respondent by his order dated 19.01.2019, rejected the claim noting that “the same is not feasible of compliance”; and that the aforesaid rejection is purported to be on the basis of remarks of Chief Medical Officer, Head Quarters Dispensary/TANGEDCO.

6. It is the further case of the petitioner is that the aforesaid rejection by the first respondent without even forwarding the claim for reimbursement to the fourth respondent is highly illegal, arbitrary and also contrary to the NHIS, for which regular monthly deductions have been made from the petitioner's salary.

7. The learned counsel for the petitioner in support of this contention, placed reliance on the decisions of this Court in W.P.No.31757 of 2018.

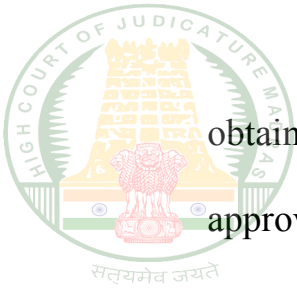


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8. Per contra, the learned Standing Counsel appearing on behalf of the third respondent, relying on the counter affidavit filed would contend that since, the petitioner obtained treatment in a non-listed hospital, the claim for reimbursement was rejected as any employee or family members covered under the policy are required to obtain medical facilities/treatment only in the listed hospitals as notified by the fourth and fifth respondents.

9. The learned counsel appearing for the fourth respondent submitted that the said respondent did not receive any claim from the first respondent for reimbursement of the medical expenses incurred by the petitioner for getting treatment and it only the first respondent had forwarded the bills, the same could have been verified by the fourth respondent, as to the entitlement or otherwise for reimbursement.

10. Admittedly, the petitioner and her family members are covered by the NHIS obtained by the first respondent from the fourth respondent, of which fifth respondent acts as a TPA. Under the NHIS obtained by the first respondent, the list of notified hospitals mentioned therein are intended to enable the employees of the first respondent covered under the Scheme to

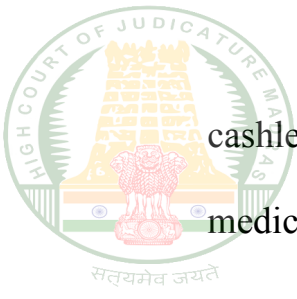


obtain cashless medical treatment in the said hospitals by obtaining pre-approvals from the TPA and the Insurance Company.

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11. In the facts of the present case, the petitioner's husband requiring emergency medical attention was admitted to a non-listed hospital on 14.08.2018 and getting treated therein, the petitioner had incurred the medical expenses on her own by settling bills of the said hospital instead of approaching the notified hospital for availing cashless facilities.

12. It is the said reason of the petitioner incurring the medical expenses on her own for getting her husband treated on an emergency basis submitted her claim for reimbursement of the expenses to the third respondent which was forwarded to the first respondent. The first respondent instead of forwarding such claim to the fourth respondent for reimbursement, for the reasons best known to him, by adopting inhuman approach, rejected the said claim by himself noting that the claim for reimbursement of medical expenses incurred by the petitioner, “is not feasible of compliance”. This Court is unable to comprehend as to what is meant by “not feasible of compliance”, when the policy obtained by the first respondent provides for availing the medical treatment either in form of



cashless facility by visiting the notified list of hospitals or by obtaining the medical facility in non-listed hospital but incurring the expenditure on her own and seeking reimbursement thereof.

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13. Further, it is also to be noted that if at all, the petitioner is not eligible to seek reimbursement, such rejection ought to have been made by the fourth respondent and not by the first respondent, as he is only a forwarding authority. Instead, the first respondent had taken up the role of examining the claim for reimbursement by himself which in the considered view of the Court, he is not entitled.

14. Further, in similar circumstances, this Court, in W.P.No.31757 of 2018 having taken a similar view and in order to maintain parity, this Court is of the view that the impugned order as passed by the first respondent, cannot be sustained.

15. Accordingly, the Writ Petition is allowed and the impugned letter/proceeding dated 19.01.2019 is set aside.



16. The petitioner is directed to re-submit her claim to the third respondent afresh within a period of two weeks from the date of receipt of a copy of this order and on the petitioner submitting her application in terms of the order of this Court, the third respondent and the first respondent are directed to forward the same to the fourth respondent within a further period of two weeks there from and the fourth respondent is directed to consider the same in accordance with the Standard Operating Procedure of the fourth respondent. No costs.

13.10.2025

Speaking order / Non-speaking order

Index : Yes / No

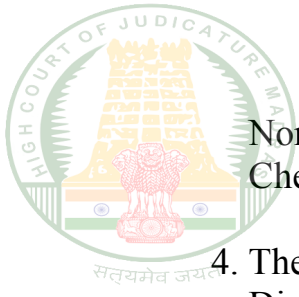
Neutral Citation : Yes / No

dh

To

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Rep. By its Secretary,
144, Anna Salai, Chennai – 2.
2. The Chairman cum Managing Director,
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3. The Superintending Engineer (P&A),

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