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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.03.2025

CORAM:

THE HONOURABLE MRS. JUSTICE **V.BHAVANI SUBBAROYAN**

W.P.No.29418 of 2023

M.R.Murugan ...Petitioner

Vs

1. The District Collector,
   Collector Office,
   Kancheepuram,
   Kanchipuram District.

2. The Sub Treasury Officer,
   Sub Treasury Office,
   Tambaram Sanitorium
   Chennai 600 045.

3. The Joint Director of Health Services,
   Kancheepuram District,
   Kancheepuram.

4. The Commissioner of Treasuries
   and Accounts,
   Commissionerate Complex,
   3rd floor, Perasiriyar K.Anbazhagan Maaligai
   No.571, Annasalai,
   Nandanam, Chennai 600 035.

5. The Divisional Manager,
   United India Insurance Co.Ltd.,

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Divisional Office VI,
PLA Rathna Tower, V floor,
Annasalai, Chennai 600 006. .... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying to issue a writ of mandamus to direct the 5th respondent Insurance Company to settle the claim amount of Rs.4,68,210/- with 10% interest for belated payment.

For Petitioner : Mr.T.Karkivelan

For Respondents : Mr.Tippusultan
Government Advocate
for R1 to R4
Mr.S.Dhakshnamoorthy
for R5

O R D E R

This writ petition has been filed for issuance of a writ of mandamus to direct the 5th respondent Insurance Company to settle the claim amount of Rs.4,68,210/- with 10% interest for belated payment.

2. The learned counsel appearing for the petitioner submitted that the petitioner was working in the Tamil Nadu Government Co-operative Department as Co-operative Sub Registrar and voluntarily retired from

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service on 31.12.2006. On 13.05.2021 his wife Rosammal fell ill and took treatment in Sugam Hospital at Chrompettai, Chennai which is an empanelled hospital and thereafter on 15.05.2021 she was shifted to corona ward and after proper treatment she was discharged on 31.05.2021. The total cost of medical expenditure amounted to Rs.4,67,610/-. After her discharge she is under the care of a cardiologist and a physician till now. She had been in the service of the Central Government and retired from service. Now she is also a pensioner and she did not claim any reimbursement from the Central Government.

3. He further submitted that the petitioner submitted his medical reimbursement claim bill to the Sub-Treasury Officer, Tambaram on 04.06.2021. His representation was forwarded to the Joint Director of Health service, Kancheepuram and in turn the Joint Director of Health Services, Kancheepuram sent list of representation including his claim to the United India Insurance vide in his R.C.No.4813/A7/2021-5 dated 24.08.2021. The United India Insurance Company, in turn called the petitioner for appearance vide their Ref.No.010600/COVID/N25-

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32/2023 dated 06.03.2023 and in Ref.No.010600/COVID/Q61-5/2023 dated 06.06.2023. In response to their call, he appeared on 16th and 27th March 2023. More over, he sent a letter to the Insurance Company on 05.05.2023 enclosing 14 documents with regard to the treatment.

4. He further submitted that even after the submission of relevant bills and treatment documents, the Insurance Company did not settle his claim in accordance with the letter issued by the Commissioner of Treasuries and Accounts vide in his reference R.C.No.41773/NHIS-3/2022 dated 19.07.2022. The petitioner's claim is Rs.4,67,610/-. According to G.O.Ms.204 dated 30.06.2022, the ceiling limit is Rs.10,00,000/- for special cases including Covid-19. The Commissioner of Treasuries and Accounts the 4th respondent herein had sent the list of petitioners on 19.07.2022 to the Insurance Company. However, the Insurance Company did not settle his claim. The delay is on the part of the Insurance Company. Therefore, the Insurance Company should bear the interest and settle his claim in accordance with G.O.Ms.No.204, Finance (Health Insurance) Department dated 30.06.2022. The petitioner

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met the medical expenses by availing loans from his neighbour and friends and it is yet to be cleared. Hence the writ petition.

5. The learned Government Advocate appearing for the respondents 1 to 4 submitted that the petitioner is a pension holder of PPO.No.C401737/COP drawing pension from 01.01.2007. According to them, the petitioner has taken treatment during Covid-19 and had incurred an amount of Rs.4,67,610/- as per his claim. The claim of the petitioner has already been forwarded to the Insurance Company by letter dated 19.7.2022 in R.C.No.41773/NHIS-3/2022. The respondents requested the Insurance Company to furnish the settlement details by attaching the forwarding letter copy of the documents to United India Insurance Company Ltd by e-mail dated 29.12.2023. On receipt of the settlement details the same was informed for further action. The United India Insurance Company Ltd has to gather all the relevant records from the beneficiary and make eligible amount to the beneficiary as per the provisions of the scheme. Since the claim of the petitioner has already been forwarded to the United India Insurance Company Ltd., the

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Insurance Company has to make the payment.

6. The learned counsel for the Insurance Company submitted that the petitioner has sent a letter dated 04.06.2021 seeking to disburse an amount of Rs.4,67,610/-. According to the learned counsel the attachment only shows the receipts and his retirement copy papers, insurance paper copies and copies of Aadar card and bank details. The petitioner has not sent anything else and it is to be seen that the respondent namely the Joint Director of Health Services, Kancheepuram has forwarded a letter vide in R.C.No.4813/A7/2021-5 dated 24.08.2021 the petitioner's wife being one of the beneficiary under the scheme and the same has been forwarded for taking necessary action by the Divisional Manager, Insurance Company Co.Ltd.,

7. According to the petitioner he relied upon the G.O.Ms.No.204, dated 30.06.2022 and the ceiling limit is Rs.10,00,000/- for a family in a block period of four years under the scheme and according to them the amount to be paid is Rs.10,00,000/- and the respondents have to consider

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the same and pass appropriate orders. According to the Insurance Company they have been insisting to sent the documents in original and till date the petitioner has not taken initiate to annexe the said documents and by letter dated 06.06.2023 they have also asked for a copy of the NHIS card and other relevant documents to be produced on Monday or Thursday. The petitioner again sent a reply on 27.07.2023 and stated that he has enclosed the copy of NHIS card and copies of other relevant documents as required and submitted that the letter 19.07.2023 by the Commissioner of Treasuries and Account, Chennai he has already sent enough documents to process his claim and since it is pending for two years, he has sought for a direction to settle the claim within a period of two weeks.

8. This Court was of the view that the same can be considered by the authorities concerned. Meanwhile, the learned Government Advocate has sought some instructions and received instructions on 06.03.2025 and in the said letter it is seen that the settlement has been done to the petitioner in the year 2023-2024 for an amount of Rs.15,623/- and

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Rs.1,49,630/-. The petitioner is aggrieved by the order of the respondents and seeks this Court to direct the respondents to consider his wife's case as per G.O.Ms.No.160 dated 29.06.2021.

9. As per the said G.O. if there is any dispute regarding the claim made, then the petitioner has to approach the competent civil Court within the time limit and the petitioner is at liberty to proceed with the manner known to law whichever forum he chooses to let out his grievance settled. As per the annexure-3, they are not entitled for certain claim as per the said G.O. and accordingly disburse the eligible amount to the petitioner, if aggrieved the petitioner can approach the appropriate forum to redress his grievance.

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

06.03.2025

dpq
Index: Yes/No
Speaking order / Non speaking order

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