



W.P.No.24439 of 2017

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

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1. A.Rajasekaran (deceased)

2. R.Shenbagavalli

3. R.Vijay Kumar

4. R.Saravanakumar

5. R.Rajeshkumar

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Petitioners

-VS-

1 United India Insurance Company Limited,
RPR Complex, Bypass Road,
Dharmapuri HO,
Near Government Hospital.
Dharmapuri 636 701.

2 MD India Health Insurance TPA Private Limited,
No.27, Laxmi Towers,
3rd Floor, Dr. Radhakrishnan Salai,
Mylapore,
Chennai 600 004.

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Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India,
praying for issuance of a writ of mandamus, directing the 1st respondent to



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reimburse the medical expenses spent by the petitioner towards the eye surgery to the tune Rs.12,950/-.

For Petitioners : Mr.P.Manoj Pandian,
for Mr.R.Jayaprakash.

For Respondent 1 : Mr.P.Athiveera Rama Pandian

ORDER

This Writ Petition has been filed by the first petitioner during his lifetime. After his demise, petitioners 2 to 5 were brought on record, being the legal representatives of the deceased first petitioner (hereinafter referred to as "the petitioner").

2. In the present Writ Petition, the petitioner is seeking a direction to the first respondent to reimburse the medical expenses incurred by him towards his eye surgery to the tune of Rs.12,950/-, purportedly under the New Health Insurance Scheme,2016.

3. According to the learned counsel for the petitioner, the petitioner attained the age of superannuation on 30.04.2015, but, he was not allowed to retire due to pendency of certain disciplinary proceedings against him. However, under the New Health Insurance Scheme, operated by the first respondent herein, certain amounts were deducted from the provisional pension, that was paid to the petitioner till the year 2017. In the meanwhile,



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the petitioner took treatment for his eye and, accordingly, made a claim for reimbursement of Rs.12,950/-. The said claim of the petitioner was negated by the first respondent, by an order, dated 19.06.2017, on the ground that the petitioner had already retired from service on 30.04.2014.

4. According to the learned counsel for the petitioner, pensioners and family pensioners are also entitled for cashless treatment and other medical reimbursement under G.O.Ms.No.204, Finance (Health Insurance) Department, dated 30.06.2022, and other various Government Orders issued earlier.

5. Whether the petitioner is entitled for reimbursement or not, cannot be effectively adjudicated by this Court, as there are so many factual aspects involved in this matter. Under the New Health Insurance Scheme, 2016, there is an effective alternative remedy for redressal of all grievances and, in terms of the said scheme, District Level Grievance Redressal Committee has been constituted under the chairmanship of District Collector concerned. The petitioner herein ought to have approached the said mechanism provided under the Scheme for redressal of his grievance. Instead, he approached this Court, by filing this Writ Petition.

6. No counter affidavit is filed by the respondents.

7. In the said circumstances, the matter cannot be decided on merits. As already more than eight years have elapsed since the date of filing



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of writ petition, in the best interests of the petitioner, he can be relegated to appeal provided under the New Health Insurance Scheme, 2016, before District Collector concerned. Accordingly, the petitioners 2 and 3 are permitted to file an appeal before the District Collector concerned for redressal of the grievance and reimbursement of the amount, as is claimed in the present Writ Petition. In case any appeal is filed by the petitioners, the District Collector concerned shall place the same before the District Level Grievance Redressal Committee and consider the same in accordance with law and pass appropriate orders thereon within a period of two months from the date of filing of such appeal.

8. Writ Petition is disposed of accordingly. No costs.

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NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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MUMMINENI SUDHEER KUMAR, J.



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