



W.A No. 3290 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-09-2025

CORAM

THE HON'BLE MR JUSTICE R.SURESH KUMAR

AND

THE HON'BLE MR JUSTICE HEMANT CHANDANGOUDAR

W.A No. 3290 of 2024

AND

CMP.No. 25553 of 2024

1. The Director General of Police,
Dr. Radhakrishnan Salai,
Mylapore, Chennai-600004.

2.The Commissioner,
Department of Treasuries and Accounts,
Panagal Building, No.1, Jeenis Road,
Saidapet, Chennai-600015.

3. The Additional Commissioner of Police (Traffic)
No. 132, Commissioner Office,
EVK Sampath Road, Vepery, Periyamet,
Chennai-600007.

..Appellants

Vs

M.Ravi

..Respondent



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Writ Appeal is filed under Clause 15 of Letter Patent to set aside the order dated 11.06.2024 passed in W.P.No. 8444 of 2021

For Appellants: Mr. M. Alagu Goutham, GA

For Respondent : Mr.C.Santhosh Kumar

JUDGMENT

(Made by ***HEMANT CHANDANGOUDAR, J.***)

This intra-Court appeal assails the order dated 11.06.2024 passed by the learned Single Judge in W.P. No. 8444 of 2021. By the said order, the learned Single Judge set aside the order dated 13.04.2010, by which the claim of the petitioner for medical reimbursement to the tune of Rs. 1,79,342/-, incurred towards the medical treatment of the petitioner's mother, was rejected. Consequently, the learned Single Judge directed the third appellant to reimburse the said amount with interest at the rate of 6% per annum.

2. The respondent/writ petitioner is employed as a Grade-I Police Constable (Traffic) in the Greater Chennai Traffic Police. He is a member of the



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Tamil Nadu Police Benevolent Fund Scheme as well as the New Health Insurance Scheme, and has been regularly contributing towards the same. The respondent/writ petitioner's mother underwent knee surgery at Ganga Hospital, Coimbatore, and he submitted a claim seeking reimbursement of the medical expenses incurred. The said claim having been rejected, the respondent/writ petitioner approached this Court by filing the aforesaid writ petition. The learned Single Judge allowed the writ petition, aggrieved by which, the State has preferred the present appeal.

3. Mr. M. Alagu Gowtham, learned Government Advocate appearing for the appellants, submitted that the writ petitioner is covered under the Tamil Nadu Police Benevolent Fund Scheme. He contended that, as per the circular dated 13.04.2010 issued by the first appellant, the parents of the employee are not included within the ambit of the said Benevolent Fund Scheme, and therefore, the learned Single Judge erred in directing reimbursement of medical expenses. It was further contended that the impugned order is contrary to the express provisions of the said circular and hence unsustainable in law.



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4. Per contra, Mr. C. Santhosh Kumar, learned counsel for the respondent/writ petitioner, submitted that the circular cannot override the substantive provisions of the Scheme itself, which expressly cover the dependants of the employee. The mother of the respondent/writ petitioner, being a dependant, squarely falls within the definition of “dependant” as contemplated under the Scheme. Therefore, it was contended that the respondent/writ petitioner is legally entitled to reimbursement of the medical expenses incurred for the treatment of his mother, and that the impugned order passed by the learned Single Judge does not call for any interference.

5. We have heard the submissions advanced by the learned counsel for both parties and perused the materials placed on record.

6. A perusal of the Tamil Nadu Police Benevolent Fund Scheme, which came into force on 23.04.1957, indicates that membership of the Fund is voluntary and restricted to non-gazetted personnel of the Police Department. The subscription to the Fund is to be collected from the members at the rates



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prescribed. Rule 7 of the Scheme provides that regular subscribers to the Fund and their dependants are entitled to financial relief, provided the Central Committee is satisfied that the pecuniary circumstances of the subscriber, or of his dependants in the event of his death, justify such relief. Clause (g) of Rule 7 defines “dependants” to mean the wife, children, dependant father and mother, unmarried dependant sisters, and true dependant brothers under the age of 18 years.

7. Subsequently, a Circular Memorandum dated 13.04.2001 was issued by the first appellant, resolving to extend financial assistance up to Rs. 2,00,000/- for treatment undergone by the subscriber and his family members (spouse and children) as a one-time measure in specified cases. The said circular, however, excluded parents from the definition of “family” for the purpose of medical reimbursement.

8. The primary object of the Scheme is to provide monetary and other relief to Group ‘C’ and ‘D’ police personnel and to their dependents. The Scheme specifically envisages the provision of financial assistance to the dependants of an employee in the event of his death, including scholarships to



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the children of deceased members, monetary help to widows and dependants, and aid to members in exceptional circumstances such as prolonged illness or serious injury requiring extensive treatment. It also provides for continuation of eligibility for financial assistance to regular subscribers for five years after retirement, and to their dependants in case the subscriber dies within five years of retirement.

9. Clause (g) of the Scheme clearly includes the dependent father and mother within the definition of “dependent.” However, contrary to this substantive provision, a subsequent circular dated 13.04.2010 restricted reimbursement of medical expenses to the legal spouse of the subscriber and the children of the subscriber until they are employed, married, or attain 25 years of age, whichever is earlier, thus excluding parents from eligibility.

10. The object and purpose of the Scheme being to provide financial and medical assistance to police personnel and their dependants, exclusion of parents from the ambit of dependants is arbitrary, unreasonable, and discriminatory, having no rational nexus with the object sought to be achieved. Such exclusion, being contrary to the Scheme itself, cannot have any legal



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sanctity.

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11. Moreover, the reimbursement of medical expenses under the Scheme must necessarily be extended to the parents of the employee, particularly when they are aged, dependent, and without any independent source of income to meet their medical needs. The purpose of such welfare schemes is to provide social and financial security not only to the employees but also to their parents , who are intrinsically linked to their well-being.

12. Denial of medical reimbursement to aged and dependent parents would defeat the very object and spirit of the Scheme, which is founded on principles of social welfare and benevolence. Such exclusion would also amount to an unreasonable and arbitrary classification between similarly placed dependents, thereby offending Article 14 of the Constitution of India.



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13. Accordingly, the Scheme must be interpreted in a liberal and purposive manner to advance its object and to ensure that aged and dependent parents of the employees are not left destitute or deprived of medical assistance on account of a narrow or technical interpretation of its provisions.

14. Although the learned Single Judge has placed reliance upon a decision of another learned Single Judge of this Court in W.P. No. 35621 of 2019, wherein it was held that parents of an employee do not cease to be parents after the marriage of the employee and that exclusion of parents from the Health Insurance Scheme, 2016, would lead to anomalous and inequitable consequences, the same reasoning would apply with equal force to the present case. Even though the respondent/writ petitioner may not be entitled to reimbursement under the Health Insurance Scheme, 2016, he is clearly entitled to such reimbursement under the Tamil Nadu Police Benevolent Fund Scheme.

15. Though the learned Single Judge has not dealt with this specific aspect in detail, having regard to the fact that the writ petitioner's mother is a



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dependant within the meaning of the Scheme, and that the Scheme itself envisages financial assistance for the dependants of subscribers, we find no infirmity in the conclusion arrived at by the learned Single Judge directing reimbursement of the medical expenses incurred for her treatment.

16. Accordingly, the writ appeal fails and is dismissed. Consequently, the connected miscellaneous petition stands closed. There shall be no order as to costs.

(R.S.K. J.,) (H.C. J.,)

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