



W.P.(MD)No.4212 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 18.02.2025

CORAM

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.(MD)No.4212 of 2025

M.Balachandran

... Petitioner

Vs.

1.The Commissioner,
Treasury and Accounts,
Perasiriya Anbalagan Maligai,
Annasalai, Nanthanam,
Chennai.

2.The Director, State Level Empower Committee,
Perasiriya Anbalagan Maligai,
Annasalai, Nanthanam,
Chennai.

3.The Treasury Officer,
District Treasury,
Pudukkottai.

4.The Dean,
Medical College Hospital,
Pudukkottai.

5.The Manager,
United India Insurance Company,
Pudukkottai.

... Respondents



W.P.(MD)No.4212 of 2025

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 and 2 herein to expedite the petitioner's appeal in R.C.No.CTA/645/PNHIS – 3/2024 on the file of the second respondent within the time frame fixed by this Court.

For Petitioner : Mr.A.Aruljenifer
M/s.KBS Law Office

For R1 to R4 : Mr.P.Subbaraj
Special Government Pleader

For R5 : Mr.I.Robert Chandra Kumar

ORDER

Heard the learned counsel for the petitioner, the learned Special Government Pleader for the respondents 1 to 4 and the learned counsel for the fifth respondent.

2. The case of the petitioner is that the petitioner is a retired Sub Inspector of Police. He had subscribed medical insurance scheme under the fifth respondent. The wife of the petitioner suffered with some health problems and she took treatment in Kerala Ayurveda Hospital, Tiruchirappalli from 06.04.2022 to 27.04.2022. For the said treatment, the petitioner spent Rs.1,00,536/- towards medical expenditure. The petitioner submitted claim



W.P.(MD)No.4212 of 2025

before the District Level Empower Committee for reimbursement of the medical

expenses incurred by him. The claim of the petitioner was rejected by the

District Level Empower Committee on the ground that the petitioner's wife took

treatment in non-network hospital. Against the said order, the petitioner filed

writ petition in W.P(MD)No.22960 of 2022 and the same was disposed of by

this Court vide order dated 04.06.2024 to approach the State Level Empower

Committee. Accordingly, the petitioner preferred an appeal before the State

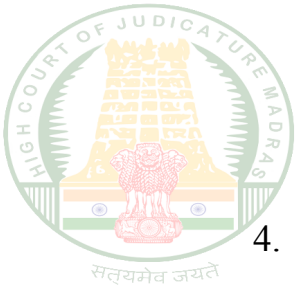
Level Empower Committee i.e.,second respondent herein on 25.10.2024. The

said appeal was admitted on 25.10.2024 but there is no progress to dispose of

the same. Aggrieved by the inaction of the second respondent in disposing the

appeal, the petitioner has constrained to file the present writ petition.

3. Having heard the submissions of the respective learned counsels and on careful perusal of the materials available on record, it appears that the only grievance of the petitioner raised in the writ petition is against the inaction of the State Level Empower Committee i.e.,second respondent herein in considering and disposing of the appeal filed by the petitioner, dated 25.10.2024 against the order of the District Level Empower Committee.



W.P.(MD)No.4212 of 2025

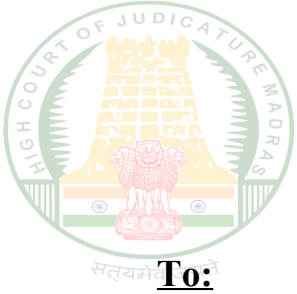
4. As already appeal is pending before the State Level Empower Committee, in our considered view, it is appropriate and reasonable to dispose of the writ petition at the admission stage with the consent of both parties without going into the merits of the case with a direction to the State Level Empower Committee i.e.,second respondent herein to dispose of the appeal filed by the petitioner on 25.10.2024 by following due process of law within a stipulated time to meet the ends of justice.

5. Accordingly, this writ petition is disposed of with a direction to the State Level Empower Committee i.e.,second respondent herein to dispose of the appeal filed by the petitioner on 25.10.2024 by following due process of law and taking into consideration of the orders and judgments rendered by this Court in medical insurance scheme cases within a period of four weeks from the date of receipt of a copy of this order. The petitioner is permitted to produce the copy of the orders passed in identical matters by this Court before the State Level Empower Committee. No costs.

18.02.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
Sn

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W.P.(MD)No.4212 of 2025

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W.P.(MD)No.4212 of 2025

BATTU DEVANAND, J.

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W.P.(MD)No.4212 of 2025

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