



W.P.(MD)No.4681 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.03.2025

CORAM:

THE HON'BLE MR.JUSTICE BATTU DEVANAND

W.P.(MD).No.4681 of 2025
and
W.M.P(MD).No.3366 of 2025

Subramanain

... Petitioner

Vs.

1. The Superintendent of Polices,
Tirunelveli District.
2. The District Treasury Officer,
Office of the District Treasury,
Dindigul – 624 002.
3. The Divisional Officer,
United India Insurance Company,
5th Floor, PLA Tower, No.212, Annasalai,
Chennai – 6.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the 3rd respondent in his proceedings Ref:010660/MEDICRS/1779/2024 dated 30.04.2024 is illegal quash the same and consequently directing the 2nd and 3rd respondents to disburse the entire medical reimbursement amount to the petitioner.



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For Petitioner	: Mr.S.M.Mohan Gandhi
For R1 and R2	: Mr.P.Subbaraj Special Government Pleader
For R3	: Mr.Robert Obendra Kumar

ORDER

Heard Mr.S.M.Mohan Gandhi, learned counsel appearing for the petitioner, Mr.P.Subbaraj, learned Special Government Pleader appearing for the respondents 1 and 2 and Mr.Robert Obendra Kumar, learned counsel appearing for the 3rd respondent. Carefully perused the materials available on records.

2. The case of the petitioner is that he has been working as a Head Constable in the Tamil Nadu Police Department. While he is proceeding along with his wife on a two wheeler on 27.01.2022, a lorry came in a rash and negligent manner and to escape from the accident he turned his bike to the other side and hit on the Advertisement Board and fell down from the bike and became unconscious and the people took him to Tenkasi Government Hospital. He was admitted in the said hospital and relieved on the next day. His legs and hands have not functioned and the

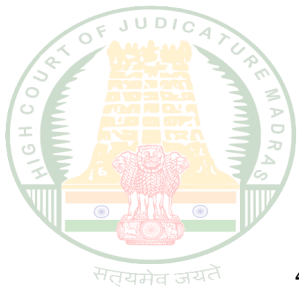


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doctors told that his brain or nerves may be damaged. Thereafter, he was admitted at CJ Promoram (ortha center situated at Avudainoor). He was inpatient in the hospital till 18.02.2022. For the entire treatment, he spent an amount of Rs.3,89,659/-. He submitted a claim before the 3rd respondent for the said reimbursement amount but the 3rd respondent has paid only an amount of Rs.66,000/-. The petitioner's wife has sent a representation dated 21.03.2022 to the 1st respondent and to the 3rd respondent to settle the entire claim amount. The said representation was rejected by the 3rd respondent. Aggrieved by the same, present writ petition has been filed.

3. The learned Special Government Pleader appearing for the respondents 1 and 2 on instructions submits that the petitioner has to approach the District Level Empowered Committee along with his claim application and all medical records to claim the amount spent by him for the medical treatment. But the petitioner directly approached the 3rd respondent and it appears that the 3rd respondent have granted Rs.66,000/-.



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4. The learned counsel for the 3rd respondent instructions submits that after receiving the claim from the petitioner they have sanctioned an amount of Rs.63,000/- as admissible amount as per procedure.

5. At the stage, learned counsel appearing for the petitioner submits that the petitioner is not aware about the procedure to submit claim application to the District Level Empowered Committee. Inadvertently, he made claim application directly before the 3rd respondent. Now, he is ready to submit the claim application before the District Level Empowered Committee with all documents to claim the balance amount.

6. Having considered this submissions of the respective counsels and on careful perusal of the materials available on records, it is an admitted fact that the petitioner met with an accident and he spent some amount for treatment. But without submitting the claim application, before the District Level Empowered Committee by following the procedure provided for the purpose, he directly submitted claim application to the 3rd respondent.



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7. In fact, if the petitioner submitted his claim application before the District Empowered Committee then his claim would have been considered by them by following the procedure provided under the scheme. However, as the petitioner now requesting to approach the District Level Empowered Committee in our considered view, it is desirable to permit him to approach the District Level Empowered Committee to make his claim.

8. Accordingly, the petitioner is permitted to approach the District Level Empowered Committee and submit claim application along with all documents to substantiate his claim. On receipt of the same, the District Level Empowered Committee shall consider and examine and pass appropriate orders as per the relevant rules and the scheme under the terms and conditions of the scheme within a period of six weeks thereafter.



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9. With the above observations and directions, writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

17.03.2025

NCC :yes/No
Index :yes/No
Internet:yes/No
rgm



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To

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BATTU DEVANAND, J.

rgm

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