



CONT.P(MD)No.721 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 22.04.2025

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THE HONOURABLE MR.JUSTICE **SHAMIM AHMED**

CONT.P(MD) No.721 of 2025

V.Pandikumar

... Petitioner

VS.

The Senior Divisional Manager,
United India Insurance Company,
Divisional Office VI,
5th Floor, P.L.A. Rathna Tower,
212, Annasalai, Chennai 6.

... Respondent

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Court to punish the contemnor and deal with him as per law for wilfully disobeying the order made in W.P.(MD) No.1098 of 2022 dated 04.06.2024.

For Petitioner :Mr.A.Balaji

For Respondent :Mr.C.Karthick
standing counsel



CONT.P(MD)No.721 of 2025

WEB COPY

ORDER

This Contempt Petition has been filed for non compliance of the judgment and order passed by this Court in W.P.(MD) No.1098 of 2022, dated 04.06.2024.

2.Heard Mr.A.Balaji, learned counsel for the petitioner and Mr.C.Karthick, learned Standing Counsel for the respondent.

3.The petitioner has filed a writ petition in W.P.(MD) No.1098 of 2022 seeking for a direction to the respondents therein to reimburse the medical expenses of Rs.4,50,000/- meted out by the petitioner between 18.05.2021 and 22.05.2021 at Devaki Speciality Hospital Arasaradi, Madurai. This Court, vide order, dated 04.06.2024, had passed the following order:-

“The present writ petition has been filed seeking a Writ of Mandamus to direct the respondents to reimburse the medical expenses of Rs.4,50,000/- (Four Lakhs Fifty Thousand only) meted out by the petitioner between



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18.05.2021 and 22.05.2021 at Devaki Speciality Hospital, Arasaradi, Madurai by considering the claim application of the petitioner dated 16.06.2021.

2.Heard Mr.A.Balaji, learned counsel for the petitioner, Mr.J.Ashok, learned Additional Government Pleader appearing for the respondents 1 to 3 and Mr.C.Karthik, learned counsel appearing for the fourth respondent.

3. The petitioner who was working as Supervisor-Solid Waste Management, Skilled Grade-II in Madurai Corporation was under treatment for Covid-19 from 15.02.2021 to 30.05.2021 by getting himself admitted at Devaki Speciality Hospital, Madurai for the period from 18.05.2021 to 22.05.2021. The petitioner has spent a sum of Rs.4,50,000/- (Rupees Four Lakhs Fifty Thousand only) towards medical expenses. The petitioner is the beneficiary of New Health Insurance Scheme 2016 and later the petitioner raised a claim for reimbursement. The first respondent has issued proceedings to the fourth respondent and so far the petitioner was not given with any reimbursement and hence, he has filed the writ petition.

4.The learned counsel for the fourth respondent, on instructions, submitted that the claim of the petitioner got rejected.



CONT.P(MD)No.721 of 2025

WEB COPY

5.However, the order has not yet been communicated to the petitioner. Hence, a copy of the order is ordered to be served upon the petitioner. Hence, the petitioner is at liberty to make an appeal before the District Level Empowering Committee in accordance with rules and work out his remedy.

6.With the above observation, the Writ Petition stands disposed of. No costs. ”

4.The learned counsel for the petitioner submits that despite the judgment and order passed by this Court in W.P.(MD) No.1098 of 2022, dated 04.06.2024, the respondent has not complied with the directions of this Court and has wilfully and deliberately flouting the orders passed by this Court, dated 04.06.2024. Thus, the learned counsel submits that the respondent should be summoned and punished for committing contempt by exercising the powers under Sections 11 and 12 of the Contempt of Courts Act, 1971.

5.Today, when the matter is taken up, Mr.C.Karthick, learned Standing Counsel for the respondent, in compliance of the order of this Court dated 20.03.2025, has filed a compliance affidavit, annexing a



CONT.P(MD)No.721 of 2025

WEB COPY

copy of the decision taken by the respondent, dated 11.04.2025. It was further submitted that on 11.04.2025, in respect of the settlement details with regard to the treatment taken by the petitioner in Devaki Speciality Hospital, a letter has been communicated through RPAD to the petitioner stating that he is eligible for a sum of Rs.37,500/- towards medical claim. The compliance affidavit filed by the respondent is taken on record. A copy of the compliance affidavit has also been given to the learned counsel for the petitioner. Thus, he submits that the respondent may be discharged from the present contempt proceedings, as the judgment and order of this Court dated 04.06.2024 has been fully complied with by the respondent and the present Contempt Petition may also be disposed of.

6.Mr.A.Balaji, learned counsel for the petitioner submits that he received a copy of the compliance affidavit filed by the respondent along with a copy of the order of the respondent dated 11.04.2025. He further submits that the respondent has not fully complied with the order of this



CONT.P(MD)No.721 of 2025

WEB COPY

Court passed in W.P.(MD) No.1098 of 2022 dated 04.06.2024 and the settlement has not taken place, as per order dated 04.06.2024. Thus, he submits that he may be given liberty to challenge the order of the respondent dated 11.04.2025 before the competent Court of law. It was further submitted that as the order has been communicated to the petitioner, he has no objection if the respondent is discharged from the present contempt proceedings and the present Contempt Petition may also be disposed of.

7. Accordingly, in view of the submissions made by the learned counsel for the parties, after perusal of the judgment and order passed in W.P.(MD) No.1098 of 2022, dated 04.06.2024 and the compliance affidavit filed by the respondent, annexing a copy of the decision taken by the respondent, dated 11.04.2025, this Court is satisfied that the direction issued by this Court in W.P.(MD) No.1098 of 2022, dated 04.06.2024 has been fully complied with by the respondent and no useful purpose will be served in continuing with the present contempt proceedings against the respondent.



CONT.P(MD)No.721 of 2025

WEB COPY

8. Accordingly, the Contempt Petition is finally disposed of with liberty to the petitioner to challenge the order of the respondent dated 11.04.2025 before the competent Court of law/competent authority, if he is aggrieved by the decision taken by the respondent. Further, in view of the above, the respondent is discharged from the present contempt proceedings. The file is consigned to record. No costs.

Index : Yes / No
Internet : Yes / No
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22.04.2025

To

The Senior Divisional Manager,
United India Insurance Company,
Divisional Office VI,
5th Floor, P.L.A. Rathna Tower,
212, Annasalai, Chennai 6.



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CONT.P(MD)No.721 of 2025

SHAMIM AHMED, J.

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CONT.P(MD)No.721 of 2025

22.04.2025