



W.P.(MD)No.17097 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.17097 of 2025

T.Raju

... Petitioner

-VS-

1.The Pension Pay Officer,
E.V.K. Sampath Maligai,
College Road, Chennai - 600 006.

2.The Treasury Officer,
Treasury Office, Kovilpatti,
Thoothukudi District.

3.The Manager,
United India Insurance Corporation Ltd.,
No.457, VE Road, Shanmugapuram,
Thoothukudi District - 628 002.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to reimburse the petitioner's medical claim in Application No.RC 735912022, dated 28.11.2022, forwarded by the second respondent to the third respondent with interest within time frame as fixed by this Court.

For Petitioner

: Mr.B.Prasanna Vinoth

For R1 and R2

: Mr.K.Balasubramani

Special Government Pleader



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For R3

: Mr.I.Robert Chandra Kumar
Standing Counsel

ORDER

This Writ Petition has been filed seeking a direction to the respondents to reimburse the petitioner's medical claim, submitted under Application No. RC 735912022 dated 28.11.2022, which was forwarded by the second respondent to the third respondent, along with interest, within a time frame to be fixed by this Court.

2. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

3. The learned counsel for the petitioner submits that the petitioner, a retired Special Sub-Inspector of Police, had served in the Police Department for 26 years and sustained serious injuries in a road accident on 05.11.2022. He was admitted to Esvar Hospital, Madurai, where he underwent surgery for a comminuted fracture in his left elbow. As the hospital was not empanelled under the cashless medical treatment scheme, the petitioner incurred an expenditure of Rs.55,250/- for the treatment.



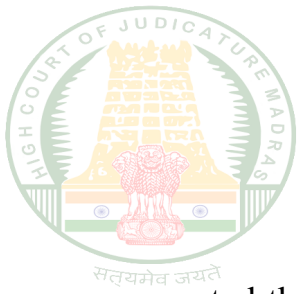
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4. It is further submitted that the petitioner, being entitled to medical reimbursement as per his service conditions, submitted his claim with all necessary documents to the Sub-Treasury, Kovilpatti, on 28.11.2022. The claim was forwarded to the second respondent on 01.12.2022. Despite repeated follow-ups over the past two years, no response was received. Only upon his representation dated 26.03.2025, the second respondent, vide communication dated 04.06.2025, informed the petitioner that the claim had been forwarded to the third respondent on 21.12.2022 and is still pending.

5. The learned counsel contends that such inordinate delay in processing a legitimate medical reimbursement claim under a beneficial scheme has caused undue hardship to the petitioner. The inaction on the part of the third respondent warrants the issuance of a Writ of Mandamus, directing early reimbursement along with interest for the delayed period.

6. The learned Standing Counsel appearing for the third respondent submits that the petitioner's claim cannot be processed under the New Health Insurance Scheme, as the treatment was availed in a non-network hospital. However, it is



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noted that the petitioner's case may be considered under the Tamil Nadu Medical Attendance Rules, in accordance with the guidelines issued by the Government under Rule 14, Sub-clause 4 of the Guidelines for the implementation of the New Health Insurance Scheme, 2022, applicable to pensioners, including their spouses and family pensioners. As per Rule 14, Sub-clause 4 and the provisions of G.O.(Ms)No.401, Health and Family Welfare (Z1) Department, dated 09.09.2021, claims for treatment in non-network hospitals under non-emergency conditions may be processed under the Tamil Nadu Medical Attendance Rules, subject to proper recommendation and compliance with procedural requirements.

7. In view of the above, this Court directs the third respondent to consider the petitioner's claim, which was forwarded by the second respondent on 21.12.2022 and pass appropriate orders in accordance with law, within a period of two (2) weeks from the date of receipt of a copy of this order.

8. With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

NCC : Yes / No
Index : Yes / No

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VIVEK KUMAR SINGH, J.

smn2

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