



W.P.(MD)No.19441 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.19441 of 2025

R.Babu

... Petitioner

-VS-

1.The Additional Chief Secretary to Government,
Department of Finance,
Fort St. George,
Chennai - 600 009.

2.The Chairman / District Collector,
District Level Empowered Committee,
Theni District.

3.The Chief Manager,
Head Office,
United India Insurance Co. Ltd.,
24, Whites Road,
Chennai - 600 014.

... 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 medical expenses to the tune of Rs.2,24,465/- (Two Lakhs Twenty Four Thousand Four Hundred Sixty Five Rupees only) in the light of the judgment of the Hon'ble Supreme Court in **Shiva Kant Jha vs. Union of India** reported in **AIR 2018 SC 1975**, within the time limit stipulated by this Court.



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For Petitioner : Mr.T.Aswin Rajasimman
For R1 and R2 : Mr.S.R.A.Ramachandran
Additional Government Pleader
For R3 : Mr.A.Shajahan
Standing Counsel

ORDER

This Writ Petition has been filed seeking a direction to the respondents to reimburse the medical expenses to the tune of Rs.2,24,465/- (Rupees Two Lakhs Twenty-Four Thousand Four Hundred and Sixty-Five only), in the light of the judgment of the Hon'ble Supreme Court in **Shiva Kant Jha v. Union of India**, reported in **AIR 2018 SC 1975**, within the time frame stipulated 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 Graduate Teacher (BT Assistant – Mathematics) employed in the Government Higher Secondary School, Theni District, is a beneficiary under the Government of Tamil Nadu New Health Insurance Scheme. The petitioner's wife underwent



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emergency medical treatment for gynecological and gastroenterological issues at GEM Hospital, Theni, during two separate periods of hospitalization in May and June 2025. Despite incurring a total medical expenditure of Rs.2,62,685/-, only a meager sum of Rs.38,220/- was reimbursed under the insurance scheme and the balance amount of Rs.2,24,465/- was arbitrarily denied by the third respondent without assigning any valid reason.

4. It is submitted that the petitioner had paid regular insurance premiums, automatically deducted from his salary and he is thus, entitled to full reimbursement for the covered procedures. A detailed representation dated 24.06.2025 was also submitted, but no action has been taken so far. In the light of the judgment of the Hon'ble Supreme Court in **Shiva Kant Jha v. Union of India** (AIR 2018 SC 1975), the petitioner is entitled to full reimbursement of medical expenses incurred under emergent circumstances. Hence, the petitioner seeks a direction to the respondents to reimburse the balance medical expenses, as the refusal amounts to arbitrary and unjust denial of a rightful claim.



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5. The learned Additional Government Pleader appearing for the respondents 1 and 2 submits that the petitioner is required to exhaust the available statutory remedy by filing a formal appeal before the second respondent, as per the procedure laid down under the Government of Tamil Nadu New Health Insurance Scheme. Upon receipt of such an appeal, the second respondent shall consider the petitioner's claim on merits and pass appropriate orders in accordance with law, within a reasonable time frame to be fixed by this Court.

6. In view of the above and considering the facts and circumstances of the case, the petitioner is directed to file a statutory appeal before the second respondent within a period of two weeks from the date of receipt of a copy of this order. The second respondent shall consider and decide the appeal on merits and in accordance with law and communicate the decision to the petitioner, within a period of four weeks thereafter.

7. With the above direction, the Writ Petition stands disposed of. No costs.

NCC : Yes / No
Index : Yes / No
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VIVEK KUMAR SINGH, J.

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