



W.P.(MD)No.5015 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 25.08.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

W.P.(MD)No.5015 of 2015

1.I.Yesudhas (Died)

*(Cause title is amended vide order dated
25.08.2025 in W.P.(MD)No.5015 of 2015 by
GRSJ & KRSJ).*

2.Y.A.Shini

... Petitioners

Vs.

1.State of Tamil Nadu,
Rep. by Principal Secretary to Government,
Finance (Salaries Department),
Secretariat, Fort St. George,
Chennai.

2.The Commissioner of Treasuries and Accounts,
Government of Tamil Nadu, Chennai - 15.

3.The United India Insurance Company Ltd.,
Chennai - 6.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the



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records of the impugned G.O.Ms.No.243 Finance (Salaries) Department, dated 29.06.2012 of the 1st respondent and quash the same as it is passed arbitrarily irregularly and illegally and it is against the principles of natural justice and also against G.O.Ms.No.139 Finance (Salaries) Department, dated 27.04.2012 and against the terms of it.

For Petitioners : Mr.S.Titus

For Respondents : Mr.C.Venkateshkumar,
Spl. Government Pleader for R1 & R2.
Mr.A.Shajahan for R3

JUDGMENT
(By G.R.SWAMINATHAN, J.)

The writ petitioners challenge the validity of G.O.(Ms)No.243 Finance (Salaries) Department dated 29.06.2012 whereby the Government of Tamil Nadu introduced the New Health Insurance Scheme, 2012. The Government of Tamil Nadu in order to implement the insurance scheme had called for tenders. The tender was eventually awarded to United India Insurance Company Limited. The government entered into a formal agreement with the said insurance company. As per the agreement, the annual premium for the scheme was to Rs.1860/- per employee plus service tax. As per terms of the scheme, the maximum amount payable towards medical claim per employee was Rs.4,00,000/-.



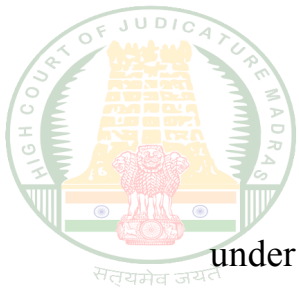
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2.This government order is challenged on two grounds. (a) There is violation of principles of natural justice. (b) The impugned government order is against the terms of G.O.(Ms)No.139 Finance (Salaries) Department dated 27.04.2012.

3.As regards the first ground, we are of the view that there is no merit. The government had introduced a beneficiary scheme for the welfare of the employees. Only if any adverse action is to be taken against an employee, he must be put on notice and heard. No man shall be condemned unheard is one of the principles of natural justice. Here, the government has proposed to extend a benefit to the government employees. Therefore, the question of complying with the principles of natural justice will not arise at all.

4.G.O.(Ms)No.139 dated 27.04.2012 is only a proposal to extend the earlier scheme. The earlier scheme was only for a block period of four years upto 2012. In order to extend the same, G.O.(Ms)No.139 dated 27.04.2012 was issued. The government had taken a decision

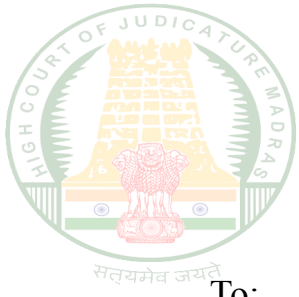


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under G.O.(Ms)No.139 that the new scheme will be implemented with effect from 11.06.2012. Merely because in the said government order, it was mentioned that the subscription under the New Health Insurance Scheme, 2012 shall be Rs.75/- per month, that would not mean that the government is bound hand and foot to the said term. As pointed out by the learned counsel for the respondents, under the earlier scheme the ceiling was Rs.2,00,000/-. Under 2012 scheme, the ceiling became Rs.4,00,000/-. When the upper ceiling was enhanced and revised, no exception can be taken to the enhancement of the subscription amount also. Therefore, we do not find any merit in this ground also. Both the contentions lacks merit and the writ petition stands dismissed. No costs.

(G.R.S. J.,) & (K.R.S. J.,)
25.08.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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- 1.The Principal Secretary to Government,
Finance (Salaries Department),
Secretariat, Fort St. George,
Chennai.
- 2.The Commissioner of Treasuries and Accounts,
Government of Tamil Nadu, Chennai - 15.



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and
K.RAJASEKAR, J.

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