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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.11.2025

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THE HONOURABLE MS.JUSTICE P.T.ASHA

Writ Petition(MD)No.27776 of 2025

K.Parameswari ..Petitioner

Vs

1. The District Collector
   Office of the District Collector,
   Madurai District.

2.The Principal Secretary to Government,
  Health and Family Welfare Department,
  Secretariat, Chennai.

3.The Director,
  Health and Family Welfare Department,
  Teynampet, Chennai.

4.The Joint Director
  Medical and Rural Health Services Department,
  Madurai District Headquarters,
  Usilampatti, Madurai District.

5.MD India Health Insurance TPA Pvt Ltd,
  Rep by its Branch Manager,
  Raheja Towers, 177 Mount Road,
  Anna Salai, Chennai District.

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6. United India Insurance Co Ltd
Rep by its Branch Manager, Whites Road,
Chennai District.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the respondents herein to consider the representation of the petitioner dated 07.07.2025 for reimburse the amount of Rs.8,41,000/- (Rupees Eight Lakhs Forty One Thousand Only) to the petitioner under the New Health Insurance Scheme 2012 read with G.O.Ms.No.160 dated 29.06.2021 to the petitioner for the petitioner's husband S.Selvam working as Assistant Section Officer, Madurai Bench of Madras High Court for the surgery conducted for him for Right Frontal Craniotomy (Brain tumor).

For Petitioner : Mr.V.R.Shanmuganathan

For Respondents : Mr.S.Sasikumar
Additional Government Pleader
(for R1 to R4)

Mr.A.Shajahan (for R6)

ORDER

This writ petition has been filed seeking issuance of a Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 07.07.2025 and reimburse a sum of Rs.8,41,000/- (Rupees Eight Lakhs Fourty One Thousand Only) to the petitioner under the New Health Insurance Scheme, 2012, read with G.O.Ms.No.160, Finance

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(Salaries) Department, dated 29.06.2021, towards medical expenses incurred for the surgery of the petitioner's husband S.Selvam, Assistant Section Officer, Madurai Bench of Madras High Court, who underwent Right Frontal Craniotomy (Brain Tumor) surgery.

2. The petitioner's husband, who is serving as an Assistant Section Officer at the Madurai Bench of the Madras High Court, was diagnosed with a brain tumor and underwent surgery for Right Frontal Craniotomy at a private hospital. The petitioner had incurred medical expenses to the tune of Rs.8,41,000/-. She submitted a representation dated 07.07.2025 to the respondents seeking reimbursement of the said amount under the New Health Insurance Scheme, 2012, read with G.O.Ms.No.160 dated 29.06.2021. Since no order was passed, the petitioner approached this Court seeking appropriate directions.

3. The learned counsel for the petitioner submitted that the petitioner's husband is a Government employee covered under the New Health Insurance Scheme, 2012, and the surgery was necessitated due to an emergency medical condition. The treatment was taken at a recognized multi-speciality hospital and the expenses are genuine and supported by medical records. Despite submitting all relevant documents and representations, the claim for reimbursement has not been processed so far. Hence, the inaction on the part of the respondents is arbitrary. Hence, the

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petitioner prayed for a direction to the respondents to reimburse the medical expenses incurred.

4. The learned Standing Counsel appearing for the 6th respondent submitted that the petitioner's claim had not been routed through the proper channel as required under the Health Insurance Scheme guidelines. As per the scheme, claims beyond the approved package rates or cases not covered under empanelled hospitals have to be examined by the District Empowerment Committee (DEC) before any reimbursement can be sanctioned. Therefore, the petitioner's application requires resubmission in proper form to the competent authority for further consideration by the DEC. Hence, it was submitted that the respondents have no objection if the petitioner is directed to renew her claim through the appropriate procedure.

5. This Court has considered the rival submissions and perused the materials on record.

6. It is not in dispute that the petitioner's husband, a Government servant, underwent surgery for a serious medical condition. The petitioner has already submitted a representation dated 07.07.2025 seeking reimbursement under the Health Insurance Scheme. However, it appears that the application has not yet been processed due to procedural lapses in routing it through the competent authority.

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7. Considering the nature of the claim and the limited prayer sought, this Court is of the view that the ends of justice would be met if a direction is issued to the petitioner to renew her application before the fourth respondent, who shall in turn forward it to the District Empowerment Committee for consideration on merits and in accordance with law.

8. Accordingly, this Writ Petition is disposed of with the following directions:

(i) The petitioner shall renew her application along with all supporting documents to the fourth respondent within a period of one week from the date of receipt of a copy of this order.

(ii) Upon receipt of the same, the fourth respondent shall forward the application to the District Empowerment Committee within a further period of two weeks thereafter.

(iii) The District Empowerment Committee shall consider the petitioner's claim for reimbursement in accordance with the New Health Insurance Scheme, 2012, read with G.O.Ms.No.160, dated 29.06.2021, and pass appropriate orders on merits and in accordance with law, within a period of eight weeks thereafter.

No costs.

04.11.2025

NCC : Yes/No
Index : Yes/No
Internet:Yes
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P.T.ASHA, J.

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