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W.P.No.5826 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.03.2026

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.5826 of 2024

M.Kannan

... Petitioner

Vs.

- 1 THE STATE OF TAMIL NADU
REP. BY IT'S THE PRINCIPAL SECRETARY TO GOVERNMENT,
HEALTH, MEDICAL EDUCATION AND FAMILY WELFARE,
SECRETARIAT, FORT ST. GEORGE,
CHENNAI – 600 009.
- 2 THE PROJECT DIRECTOR,
TAMIL NADU HEALTH SYSTEMS PROJECT (TNHSP),
3RD FLOOR, DMS ANNEX NEW BUILDING,
259, ANNA SALAI,
TEYNAMPET,
CHENNAI – 600 006.
- 3 THE CHIEF MINISTER'S COMPREHENSIVE
HEALTH INSURANCE SCHEME,
REP. BY ITS PROJECT OFFICER,
NO.226, OM SAKTHI TOWERS,
KILPAUK GARDEN ROAD,
KILPAUK,
CHENNAI – 600 010.
- 4 THE JOINT DIRECTOR OF HEALTH SERVICES,
HEALTH DEPARTMENT,
THIRUVALLUR DISTRICT,
THIRUVALLUR – 602 001.



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5 M/S. VIDAL HEALTH INSURANCE TPA PVT. LTD.,
REP. BY ITS AUTHORIZED OFFICER,
O/O. THE CHIEF MINISTER'S COMPREHENSIVE
HEALTH INSURANCE SCHEME,
NO.226, OM SAKTHI Plaza,
KILPAUK GARDEN ROAD,
KILPAUK,
CHENNAI – 600 010.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to reimburse the entire medical expenses for a sum of Rs.6,05,000/- spent by the petitioner for his father's heart surgery under the Hon'ble Chief Minister Comprehensive Health Insurance Scheme forthwith.

For Petitioner : Mr.M.R.Jothimanian
For Respondents : Mr.K.Tippu Sultan for R1, R2 and R4
Government Advocate
Mr.S.Arun Kumar for R3, R5

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondents to reimburse the entire medical expenses for a sum of Rs.6,05,000/- spent by the petitioner for his father's heart surgery under the Chief Minister Comprehensive Health Insurance Scheme forthwith.

2.The learned counsel appearing for the petitioner submitted



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that the petitioner is a practicing Advocate and his family members are members under the Chief Minister's Comprehensive Health Insurance Scheme. The petitioner's father V.M.Muthu experienced chest pain on 12.09.2023 and was immediately taken to Madras Medical Mission in Mogappair, Chennai and on 13.09.2023, the petitioner's family applied for Chief Minister's Comprehensive Health Insurance Scheme and after a brief hospitalization, the petitioner's father was discharged from the Hospital on 14.09.2023. On 16.09.2023, the petitioner's father was again admitted in the same Hospital and the medical team determined that the petitioner's father is in urgent need of Coronary Artery Bypass Grafting (CABG) surgery along with placement of TTK Chitra Valve. Initially the petitioner's family received approval from the Insurance Company, however, the Doctors informed that the petitioner's father required imported Honcock valve and the Insurance team stated that imported valves are not eligible for coverage under Chief Minister's Comprehensive Health Insurance Scheme.

3.The learned counsel appearing for the petitioner further submitted that the petitioner's family belongs to an economically underprivileged background and the petitioner sought financial assistance from his colleagues and the surgery was successfully



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completed. Thereafter the petitioner made representation dated 25.09.2023 to the respondents seeking reimbursement of the medical expenses and the fourth respondent made reply on 17.11.2023 and aggrieved by the same, the petitioner filed appeal on 17.10.2023, however, the fourth respondent gave the very same reply. The learned counsel further submitted that the petitioner made application under Right to Information Act with regard to the Chief Minister's Comprehensive Health Insurance Scheme and came to know that imported Stent Honcock Valve is eligible for coverage under the Chief Minister's Comprehensive Health Insurance Scheme from 2022 to 2027. Though the petitioner is eligible to claim reimbursement of the medical expenses, the same is not disbursed by the respondents. Hence, this Court may, without going into the merits of the case, issue direction to the second respondent to consider the claim of the petitioner as per their RTI reply dated 20.12.2023 and to pass appropriate orders.

4.The learned Government Advocate appearing for the respondents 1, 2 and 4 submitted that as per the Chief Minister's Comprehensive Health Insurance Scheme, Honcock Valve is permissible only in the Government Hospital and the same is not



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permissible in the Private Hospital and further submitted that when a person is inclined to get treatment in a private Hospital, there is no need for the Insurance Company for payment of any amount to the private Hospital. He further submitted that on 13.09.2023, the petitioner's family applied for Chief Minister's Comprehensive Health Insurance Scheme and the same was under active consideration of the respondents and subsequently, the petitioner dis-continued the earlier mode of claim and he himself opted for treatment in private Hospital by giving letter dated 25.09.2023 to Madras Medical Mission for early operation and further submitted that the petitioner paid the amount on his own volition in the private Hospital and hence, the petitioner cannot claim reimbursement of the medical expenses.

5.The learned counsel appearing for the respondents 3 and 5 submitted that there is contract between the State Government and the Insurance Company and the contract provide for payment of the insurance claim claimed through third party Administrator. In the present case, it was initially presented for claim through third party Administrator and that was processed and subsequently, the procedure was cancelled at the instigation of the petitioner and further submitted that the petitioner on his own volition spent amount to the



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private Hospital and the Hospital performed surgery and hence the petitioner is not entitled for reimbursement of the amount.

6.Heard the arguments advanced on either side and perused the materials available on record.

7.Perusal of records disclose that the petitioner made representation dated 25.09.2023 to the respondents seeking reimbursement of the medical expenses incurred for his father's surgery, however, the same was not considered by the respondents. Though the respondents refused the same, there is no proper order. Hence, this Court directs the second respondent to consider the claim of the petitioner as per their RTI reply dated 20.12.2023 and to pass appropriate orders, within a period of four weeks from the date of receipt of a copy of this order.

8.The writ petition is disposed of with the above directions.

No costs.

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Index: Yes/ No Speaking Order: Yes/ No NCC: Yes/ No

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M.DHANDAPANI,J.
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