Order QR

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-11-2026

CORAM

THE HON'BLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

WP No. 43239 of 2026
and WMP No. 48563 of 2026

CNR: {HCMA012463352026}

Case QR

K.Shoba Rani

..Petitioner(s)

Vs

1. The Chief Manager
   United India Insurance Co. Ltd.,
   Silingi Buildings,
   No.134, Greams Road,
   Chennai – 600006.

2. The Commissioner of Police
   Greater Chennai City Police,
   Office of the Commissioner of Police,
   8th floor, Vepery, Chennai - 600007.

3. The Deputy Commissioner of police
   (Administration)
   Greater Chennai City Police, 5th Floor,
   Office of the Commissioner of Police,
   Vepery, Chennai - 600007.

4. The Commissioner of Treasuries and Accounts,
   Integrated Finance Department Complex,
   3rd floor, Perasiriyar K.Anabazhagan Maaligai,
   No.571, Anna Salai, Nandanam,
   Chennai - 600035.

..Respondent(s)

Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Certiorarified Mandamus, to call the records relating to the communication dated 12.09.2025 in reference No.010600/MDI/CRS-737/2/2025 of the first respondent herein to the extent it rejects consideration of the petitioner medical

https://www.mhc.tn.gov.in/judis

WEB COPY

claim and consequently, direct the Respondents No.1 to 4 release the entire unpaid eligible medical reimbursement under the NHIS, NHIS Corpus fund, Tamilnadu Medical Attendance Rules and in accordance with law in respect of the petitioner's kidney transplantation, post-transplant treatment, removal of the failed transplanted kidney, dialysis, renal treatment, medicines, investigations and connected medical treatment.

For Petitioner(s): Mr.H.S.Mohamed Rafi

For Respondent(s): Mr.A.R.Suresh, SGP (R2 to R4)
R1 – No appearance

O R D E R

Heard the learned counsel for the petitioner and Mr.R.Nandha Kumar, learned Additional Government Pleader for the respondents 2 to 4.

2. In spite of service of notice on respondent No.1 as early as on 02.11.2026, no appearance is entered on behalf of the respondent No.1. In the circumstances, this Court is left with no other option except to consider the matter based on the materials available on record.

3. The petitioner herein, who joined in the Tamil Nadu Police Department as Police Constable in the year 1997, thereafter, selected and appointed as Sub Inspector of Police through the Direct Recruitment and was promoted to the post of Inspector of Police in the month of September 2016 and presently,

https://www.mhc.tn.gov.in/judis

WEB COPY

working as Inspector of Police. While so, in the month of May 2020, i.e., during the Covid period, the petitioner developed severe renal complications and in connection with the same, the petitioner underwent Kidney transplantation in the month of July 2021, but the said Kidney failed and was subsequently removed in January 2023 and he was undergoing a regular dialysis and specialised Renal treatment. In connection with the said surgery and followed by treatment, the petitioner claimed to have incurred a huge expenditure of Rs.40 lakhs and by virtue of the New Health Insurance Scheme(NHIS) introduced by the Government, pursuant to the G.O.Ms. No. 160, Finance (Salaries) Department, dated 29.06.2021, the first respondent i.e., United India Insurance Company Limited being the implementing agency reimbursed an amount of Rs.7,90,415/- by way of cashless settlement to the respective hospitals out of the total entitlement of the petitioner under the said scheme to the tune of Rs.10 lakhs.

4. It was thereafter the petitioner made a claim for reimbursement of the balance sum of Rs.2,09,585/-. For the said claim of the petitioner, though was forwarded by the 4th respondent herein on 06.08.2025, the same was negatived by the first respondent through proceedings bearing Reference No.010600/MDI/CRS-737/2/2025 dated 12.09.2025. It is aggrieved by the said proceedings dated 12.09.2025, the petitioner has approached this Court by filing the present writ petition.

https://www.mhc.tn.gov.in/judis

WEB COPY

5. Through the impugned proceedings, the first respondent informed the petitioner that the claim made by the petitioner cannot be considered as the maximum eligible amount as per applicable Government Orders have been paid through cashless method. Thus, the first respondent required the petitioner to approach the District-Level Empowered Committee or State-Level Empowered Committee or High-Level Empowered Committee as may be applicable.

6. From the perusal of the impugned proceedings, absolutely there is no reason basing upon which the claim of the petitioner was rejected. It is not in dispute that the total amount to which an employee is entitled to under New Health Insurance Scheme, 2021, governed by G.O.Ms. No. 160, Finance (Salaries) Department, dated 29.06.2021 is a maximum amount of Rs.10 lakhs, as it is evident from paragraph 10 of Annexure-A appended to G.O.Ms. No. 160, Finance (Salaries) Department, dated 29.06.2021. The relevant paragraph 10 (1) reads as under:-

> "*10.Medical Assistance:-*
>
> *(1) The Scheme shall provide coverage for the treatments and surgeries* ***listed in the Annexure-I to these Guidelines*** *upto a maximum of* ***Rupees Five Lakh*** *to employees of Government Departments, Public Sector Units, Co-operatives and Other Institutions /Organisations etc., and their eligible family*

https://www.mhc.tn.gov.in/judis

WEB COPY

members for a block of four years from 01.07.2021 to 30.06.2025 ordinarily in any of the Network Hospital on CASHLESS basis and in case of Emergency Care or following an Accident in a Non-Network Hospital on reimbursement basis. However, the financial assistance shall be enhanced upto ***Rupees Ten Lakh for specified treatments and surgeries as in the Annexure-I A to these Guidelines.*** *Coverage for approved treatments and surgeries in a Non-Network Hospital for Non-emergency care shall be on reimbursement basis, which shall be restricted to 75% of the package rate of similar treatment or surgery in a network hospital of lowest grade. In any case, maximum limit of assistance admissible per employee of the Government Departments etc., shall not exceed* ***Rupees Ten Lakh.***"

But through the impugned proceedings, the respondent No.1 informed the petitioner that the maximum eligible amount as per the applicable Government GOs, was already paid through cashless mode.

7. Admittedly, the total amount that was paid under cashless mode by the first respondent is Rs.7,90,415/-. If that be the case, the balance amount for which the petitioner is entitled to Rs.2,09,585/-. Despite the service of notice in the present writ petition, which is served on 02.11.2026, the first respondent has

https://www.mhc.tn.gov.in/judis

WEB COPY

not chosen to enter appearance. This Court having taken note of the same on 11.11.2026 adjourned the matter to today(17.11.2026) to enable the respondent No.1 to enter appearance and also directed the Registry to verify whether any appearance has been entered on behalf of the first respondent. The Registry has put up a note stating that no appearance has been entered on behalf of the respondent No.1. In such circumstances, this Court does not find any justification for respondent No.1 in refusing to reimburse the balance amount of Rs.2,09,585/- in terms of New Health Insurance Scheme, 2021, introduced by the Government in G.O.Ms. No. 160, Finance (Salaries) Department, dated 29.06.2021.

8. In addition to the claim for reimbursement of the said amount, the petitioner also made a claim for further reimbursement of Rs.10 lakhs in terms of the orders issued by the Government in G.O.Ms.No.120, Finance (Health Insurance-I) Department, dated 02.05.2022. As seen from the counter-affidavit filed by the respondents 2 and 3, the claim of the petitioner for release of amount under the said Government Order would be considered only on availing the reimbursement of the medical expenditure of maximum amount of Rs.10 lakhs under the New Health Insurance Scheme, 2021. Thus, the claim of the petitioner for release of Rs.10 lakhs and more in terms of G.O.Ms.No.120, Finance (Health Insurance-I) Department, dated 02.05.2022 would be considered only after the first respondent fully reimbursed the medical

https://www.mhc.tn.gov.in/judis

WEB COPY

expenditure to the tune of Rs.10 lakhs to the petitioner under the New Health Insurance Scheme, 2021. Thus, it is because of the impugned proceedings issued by the first respondent, the petitioner is being deprived of claiming the benefit under the G.O.Ms.No.120, Finance (Health Insurance-I) Department, dated 02.05.2022 also.

9. It is not in dispute that the claim of the petitioner in terms of the G.O.Ms.No.120, Finance (Health Insurance-I) Department, dated 02.05.2022 can be considered only after he availed the full reimbursement under the New Health Insurance Scheme, 2021.

10. In the light of the observations made herein above, this Court absolutely does not find any justification for respondent No.1 in refusing to reimburse of the balance amount of Rs.2,09,585/- under New Health Insurance Scheme, 2021 to the petitioner for the treatment that he has already taken especially in the absence of any dispute about the expenditure that was incurred by the petitioner in connection with the said treatment.

11. Accordingly, this writ petition is allowed and the impugned proceedings in Reference No.010600/MDI/CRS-737/2/2025 dated 12.09.2025 is quashed and consequently, Respondent No.1 is directed to reimburse the balance amount of Rs.2,09,585/- under the New Health Insurance Scheme,

https://www.mhc.tn.gov.in/judis

WEB COPY

2021, governed by G.O.Ms. No. 160, Finance (Salaries) Department, dated 29.06.2021, within a period of six(6) weeks from the date of receipt of a copy of this order and the petitioner is permitted to approach the respondent No.4, after availing the reimbursement as directed above, for release of the additional sum of Rs.10 lakhs in terms of G.O.Ms.No.120, Finance (Health Insurance-I) Department, dated 02.05.2022 and in case if the petitioner approaches the fourth respondent, the same shall be considered and processed by the fourth respondent herein as expeditiously as possible, at any rate, within a period of eight(8) weeks from the date of the petitioner approaching the respondent No.1, after adjusting the amount, if any, already released in favour of the petitioner under the said Government Orders. No costs. Consequently, connected Miscellaneous Petition is closed.

12. No doubt, in terms of the Scheme provided under the G.O.Ms. No. 160, Finance (Salaries) Department, dated 29.06.2021, there is an alternate remedy available in terms of Paragraph 15 of Annexure-A appended thereto before the District-Level Empowered Committee and State Level Empowered Committee etc. But considering the fact that the petitioner has underwent the treatment and incurred the huge expenditure as early as in the years 2021 and 2022 and he is made to go around the officers of the respondents for the past about four years, this Court deems it appropriate to entertain the writ petition, as it would be unjustified to relegate the petitioner to avail the alternative remedy,

https://www.mhc.tn.gov.in/judis

WEB COPY

and this Court is of the considered view that this is a fit case for exercising its extraordinary and discretionary jurisdiction under Article 226 of the Constitution of India.

13. Before parting with the case, this Court is also inclined to deprecate the conduct of the respondent No.1 in refraining from entering appearance and defending the case, and expect that the respondent No.1 will hereafter ensure that proper appearance is entered as soon as notice is served by this Court.

17-11-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

Maya

https://www.mhc.tn.gov.in/judis

WEB COPY

To

1. The Chief Manager
   United India Insurance Co. Ltd.,
   Silingi Buildings,
   No.134, Greams Road,
   Chennai – 600006.

2. The Commissioner of Police
   Greater Chennai City Police,
   Office of the Commissioner of Police,
   8th floor, Vepery, Chennai - 600007.

3. The Deputy Commissioner of police (Administration)
   Greater Chennai City Police, 5th Floor,
   Office of the Commissioner of Police,
   Vepery, Chennai - 600007.

4. The Commissioner of Treasuries and Accounts,
   Integrated Finance Department Complex,
   3rd floor, Perasiriyar K.Anabazhagan Maaligai,
   No.571, Anna Salai, Nandanam,
   Chennai - 600035.

https://www.mhc.tn.gov.in/judis

WEB COPY

MUMMINENI SUDHEER KUMAR, J.

Maya

WP No. 43239 of 2026

Dated : 17-11-2026

https://www.mhc.tn.gov.in/judis