



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.02.2022

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

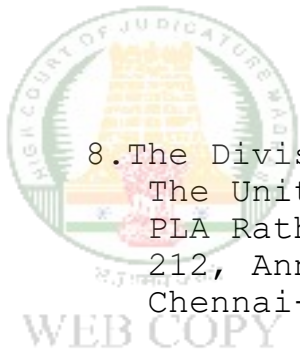
W.P.(MD) No.15942 of 2021
and W.M.P(MD).No.12879 of 2021

P.Chandragandham

... Petitioner

Vs.

- 1.The Secretary,
Government of Tamil Nadu,
Health and Family Welfare Department,
Secretariat, St.George Fort,
Chennai.
- 2.The Secretary,
Government of Tamil Nadu,
Finance and Pension Department,
Secretariat, St.George Fort,
Chennai.
- 3.Director of Pension,
Door No.259, DMS Campus,
Anna Salai,
Chennai-8.
- 4.The Director Medical and Rural Health Services,
DMS Campus, 359 Anna Salai,
Chennai-6.
- 5.District Level Committee,
Rep.by the District Collector,
Dindigul District,
Dindigul.
- 6.The Joint Director,
Medical and Rural Health Services,
Dindigul District,
Dindigul.
- 7.The Treasury Officer,
District Treasury Office,
Dindigul District,
Dindigul.



8.The Divisional Manager,
The United India Insurance Company,
PLA Rathna Towers, 5th floor,
212, Anna Salai,
Chennai-6.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of certiorarified mandamus calling for the records relating to the impugned order passed by the 8th respondent in his proceedings Nil dated 18.10.2019 and the consequential impugned order passed by the 7th respondent in his proceedings Na.Ka.No.14241/2019/S1 dated 02.12.2019 and quash the same as illegal and consequently directing the respondents to provide medical reimbursement to the tune of Rs.62403/- to the petitioner with an interest of 7.5 percent per annum within a time frame as fixed by this Court.

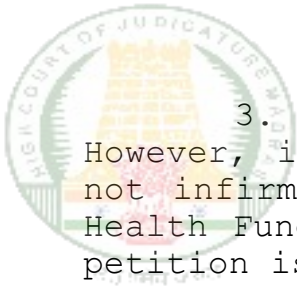
For Petitioner : Mr.D.Kirubakaran

For Respondent : Mr.D.S.Nedunchezian
Government Advocate
for RR1 to 7
Mr.A.Shajahan for R8

O R D E R

The orders impugned dated 18.10.2019 and 02.12.2019 rejecting the claim of the writ petitioner on the ground that the treatment underwent by the petitioner is not listed in the Government order are under challenge in the present writ petition.

2. In the present case, the hospital in which the petitioner underwent treatment is a network hospital and the treatment undertaken is not listed in the approved list. In such circumstances, the petitioner has to approach the Competent Authority under the Tamil Nadu Medical Attendance Rules. In respect of the cases which are not covered under the Health Fund Scheme, the Insurance Company is not liable to pay the medical reimbursement. In such case, the Government is providing a facility to the aggrieved person to submit an application under the Tamil Nadu Medical Attendance Rules. Thus, the petitioner is at liberty to submit an application before the Competent Authority under the Tamil Nadu Medical Attendance Rules. In the event of submitting any such application, the same may be considered on merits and in accordance with law as expeditiously as possible.



3. With this liberty, this Writ Petition stands disposed of. However, in respect of reason stated in the impugned order, it is not infirm and in accordance with the terms and conditions of the Health Fund Scheme. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-

Assistant Registrar (AD-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

ssb

To

- 1.The Secretary,
Government of Tamil Nadu,
Health and Family Welfare Department,
Secretariat, St.George Fort,
Chennai.
- 2.The Secretary,
Government of Tamil Nadu,
Finance and Pension Department,
Secretariat, St.George Fort,
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- 6.The Joint Director,
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Dindigul.



7.The Treasury Officer,
District Treasury Office,
Dindigul District,
Dindigul.

8.The Divisional Manager,
The United India Insurance Company,
PLA Rathna Towers, 5th floor,
212, Anna Salai,
Chennai-6.

+1 CC to M/s.D.KIRUBAKARAN, Advocate (SR-9511[F] dated 02/03/2022)

+1 CC to M/s.SPL GP (SR-9214[F] dated 01/03/2022)

+1 CC to M/s.A.SHAJAHAN, Advocate (SR-9361[F] dated 01/03/2022)

W.P.(MD) No.15942 of 2021

28.02.2022

RK(21/03/2022) 4P 12C