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IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 10TH DAY OF SEPTEMBER, 2025

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 106571 OF 2025 (GM-RES)

BETWEEN:

DR. SHIVANANDAPPA DODDAGOUDAR
AGE: 50 YEARS, OCC. ASSOCIATE PROFESSOR,
AT. GOVT. FIRST GRADE COLLEGE, RANEBENNUR,
TQ. RANEBENNUR, DIST. HAVERI-581115.

...PETITIONER

(BY SRI. HARSHAWARDHANAGOUDA PATIL, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
R/BY. THE ADDITIONAL CHIEF SECRETARY,
DEPARTMENT OF HEALTH AND FAMILY WELFARE,
VIKAS SOUDHA, BENGALURU-560001.
2. THE EXECUTIVE DIRECTOR
SUVARNA AROGYA SURAKSHA TRUST,
7TH FLOOR, AROGYA SOUDHA, 1ST CROSS,
MAGADI ROAD, BENGALURU-560023.
3. THE DIRECTOR,
COLLEGIATE EDUCATION DEPARTMENT,
BENGALURU-560001.
4. UNDER SECRETARY TO GOVERNMENT
(COLLEGIATE) HIGHER EDUCATION DEPARTMENT,
2ND GATE, 6TH FLOOR, M.S. BUILDING,
BENGALURU-560001.

...RESPONDENTS

(BY SRI. SHARAD V. MAGADUM, AGA FOR R1 TO R4)





THIS WP IS FILED UNDER ORDER 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO A) ISSUE THE WRIT IN THE NATURE OF CERTIORARI QUASHING THE ORDER PASSED BY THE RESPONDENT NO. 4 VIDE HIS ORDER BEARING NO. ಇಡಿ 05 ಯುಇಸಿ 2024 (ಇ) DATED. 03/07/2024 VIDE ANNEXURE-C. B) ISSUE THE WRIT IN THE NATURE OF CERTIORARI QUASHING THE ORDER PASSED BY THE RESPONDENT NO.2 VIDE HIS ORDER BEARING NO.ಆಕುಕ/ಎಸ್.ಎ.ಎಸ್.ಟಿ/ಎಂ.ಆರ್.ಸಿ /35680/2024-2025 AND ORDER BEARING NO. ಆಕುಕ/ಎಸ್.ಎ.ಎಸ್.ಟಿ/ಎಂ.ಆರ್.ಸಿ/35681/2024-2025 BOTH ARE DATED. 31/08/2024 VIDE ANNEXURE-E AND E1. C) ISSUE WRIT IN THE NATURE ON MANDAMUS DIRECTING THE RESPONDENTS TO REIMBURSE AN AMOUNT OF RS. 13,95,464/- ALONG WITH THE INTEREST TILL THE DATE OF REALIZATION IN THE INTEREST OF JUSTICE AND EQUITY AND ETC.,

THIS PETITION, COMING ON FOR PRELIMINARY HEARING THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

ORAL ORDER

(PER: THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ)

1. Learned AGA accepts notice for respondents Nos.1 to 4.
2. The petitioner is before this Court seeking for the following reliefs:
 - a. *Issue the Writ in the nature of certiorari quashing the order passed by the respondent no. 4 vide his order bearing*



No. ಇಡಿ 05 ಯುಇಸಿ 2024 (ಇ) dated.
03/07/2024 vide ANNEXURE-C.

b. Issue the writ in the nature of certiorari quashing the order passed by the respondent No.2 vide his order bearing no.

ಆಕುಕ/ಎಸ್.ಎ.ಎಸ್.ಟಿ/ಎಂ.ಆರ್.ಸಿ/35680/202

4-2025 and order bearing No.

ಆಕುಕ/ಎಸ್.ಎ.ಎಸ್.ಟಿ/ಎಂ.ಆರ್.ಸಿ/35681/202

4-2025 both are dated 31/08/2024 vide Annexure-E and E1.

c. Issue Writ in the nature on Mandamus directing the respondents to reimburse an amount of Rs. 13,95,464/- along with the interest till the date of realization in the interest of justice and equity.

d. Issue any other Writ or order which deems fit to this Hon'ble Court in the interest of Justice and Equity.

3. The short grievance of the petitioner is that his medical reimbursement claim has been rejected solely on the ground that the hospital from which he availed treatment does not find a place in the Government-recognised list of private hospitals eligible for medical reimbursement, as per Annexure-A1.



4. Learned counsel for the petitioner submits that the hospital in question 'Kasturba Medical College Hospital, Manipal' was indeed present in the approved list. However, pursuant to a formal request dated 23.03.2021, the hospital sought for change of name to 'Kasturba Hospital, Manipal', in conformity with the registration certificate issued by the Karnataka Private Medical Establishment Authority, Udupi.
5. It is further submitted that despite the name change and the hospital's communication, the updated name has not been incorporated in the Government list, resulting in rejection of the reimbursement claim.
6. The learned Additional Government Advocate contends that only the names of hospitals appearing as is in the approved list can be considered and that deviations, including name changes, cannot be accepted.



7. I have heard the learned counsel for the petitioner and the learned AGA and have carefully perused the material on record.

8. The only question that arises for consideration is:

Whether medical reimbursement can be denied solely due to a change in the name of the hospital, even though it remains the same entity that was previously recognised?

9. The purpose of maintaining a recognised list of private hospitals under Clause (ff) of Rule 3 of the Karnataka Government Servants (Medical Attendance) Rules, 1963, is to ensure that services are availed from vetted and approved institutions. The recognition involves inspection and assessment of the hospital's infrastructure and services.

10. It is evident that if treatment is availed from an unrecognised hospital, reimbursement is not permissible. However, in the present case, Kasturba



Medical College Hospital, Manipal was an approved institution.

11. Following its name change to Kasturba Hospital, Manipal, the hospital submitted a formal application on 23.03.2021 seeking correction in the recognised list. Despite this, the authorities have failed to update the name, resulting in rejection of reimbursement claims.
12. The hospital remains the same legal entity, and the name change was duly recorded under the Karnataka Private Medical Establishment Act. Denial of reimbursement merely on account of non-updated nomenclature, when the entity remains the same, is arbitrary and legally unsustainable. The respondent authorities were obligated to verify the request and update the recognised list after following the due procedure. Their failure to do so cannot prejudice the petitioner.



13. I answer the point framed by holding that medical reimbursement cannot be denied solely due to a change in the name of the hospital, even though it remains the same entity that was previously recognised.

ORDER

- i. Writ petition is allowed.
- ii. A writ of certiorari is hereby issued, quashing the order passed by respondent No. 4, dated 03.07.2024 (Annexure-C), and also the orders passed by respondent No. 2, dated 31.08.2024 (Annexures-E and E1).
- iii. Respondent No. 2 is directed to reconsider the petitioner's application for medical reimbursement, taking into account the change in the name of Kasturba Medical



College Hospital, Manipal to Kasturba Hospital, Manipal, in accordance with applicable procedure.

- iv. The said reconsideration shall be completed within a period of six weeks from the date of receipt of a certified copy of this order.

Sd/-
(SURAJ GOVINDARAJ)
JUDGE

VB
CT:PA
List No.: 1 Sl No.: 26