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WP No. 35714 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-03-2026

CORAM

THE HON'BLE MS. JUSTICE P.T. ASHA

**WP No. 35714 of 2025
and WMP.No.10259 of 2026**

S.Pachaippan
S/o.Suritayan,
Force No.075033223, Ex-CT/GD,
(on Medical Invalidation)
Kudumiampatti Village, Achalwadi Post,
Harur Taluk, Dharmapuri District- 636 903.

..Petitioner

Vs

1. The Director General
Central Reserve Police Force (CRPF)
Block No.1, CGO Complex,
Lodhi Road, New Delhi- 110 003.
2. The Deputy Inspector General of Police (Welfare)
Office of the Directorate General
Central Reserve Police Force (CRPF)
Block No.1, CGO Complex, Lodhi Road
New Delhi- 110 003.
3. The Deputy Inspector General Of Police
Group Centre, Central Reserve Police Force (CRPF)
Avadi, Chennai- 600 055.
4. The Ministry of Health and Family Welfare
Department of Health and Family Welfare,
Nirman Bhawan, New Delhi.
(R4 suo motu impleaded vide order dated 23.09.2025
made in WP.35714/2025)

..Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Certiorarified Mandamus calling for the records



relating to the impugned order of the third respondent in No.M.III. 01/ 2025-EC- 1 dated, the 04.03.2025 and quash the same and direct the respondents to sanction and approve the entire costs involved in the replacement of the petitioner's artificial limb and pass such orders.

For Petitioner: Mr.P.Manoj Kumar

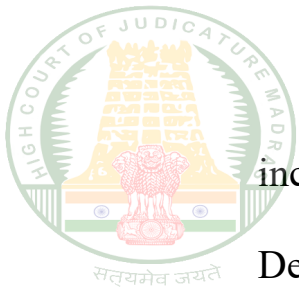
For Respondents: Ms.V.J.Latha
SCGSC for R1 to R3

ORDER

It is rather unfortunate that a young personnel, aged 38 years, who has lost his limbs while in discharge of his duty, is denied of his request for reimbursing the costs of his artificial limbs.

2. The short facts which had culminated in the filing of the writ petition is set out herein below :

(a) The petitioner had joined the services of Central Reserve Police Force (CRPF) as Constable /GD (CT/GD) on 15.05.2007. When he was posted in 195th Battalion, he had participated in anti-naxal operation in Dantewada District, Chhattisgarh, on 28.12.2016. While on duty, he had suffered serious injuries in IED Blast, as a result of which, the petitioner had sustained 100% physical permanent disability. It was on 28.12.2016, the petitioner was permanently

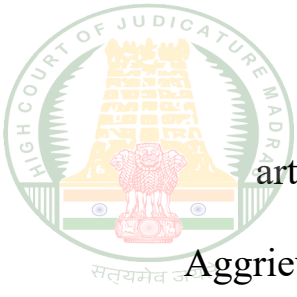


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incapacitated in combatant duty and was subjected before the 29th

Departmental Rehabilitation Board (DRB), who had recommended for medical invalidation. Pursuant to the same, the Medical Invalidation Board (MIB) has assessed his 100% disability and issued a medical invalidation notice on 04.03.2021, and thereafter, the petitioner was medically invalidated from service by office order dated 07.04.2021.

- (b) The petitioner would submit that after the amputation of his right leg, he was implanted with artificial limb on 31.05.2015 at AIIMS, New Delhi, and the entire expense totalling to Rs.10,00,000/- was borne by CRPF. The artificial limbs had a shelf value of 5 to 6 years and therefore, by passage of time, his artificial limbs was damaged.
- (c) Thereafter, the petitioner had obtained a quotation for fitment of new artificial limb from the approved agency of CRPF amounting to Rs.10,64,070/- and had requested the second respondent to sanction the said costs. However, to his utter shock, his request was rejected by the 3rd respondent through the impugned order. The reason that has been given for rejection is that the petitioner had already retired on invalid pension on 07.04.2021, and that he had been paid a sum of Rs.20,00,000/- towards Risk Fund Final Payment and therefore, the scheme providing financial assistance for repair / replacement of



artificial limb would not apply to him.

Aggrieved by the said rejection, the petitioner is before this Court.

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3. A counter affidavit has been filed by the respondents, in which the respondents would admit the fact that the petitioner had lost his limb only due to anti-naxal operations. It is also stated in the counter that the earlier fitment of the artificial limb, had been taken care of by the respondents, and the petitioner had received a lump sum amount of Rs.20,00,000/- out of Risk Fund, on account of his disability. They would submit that the petitioner is entitled to an artificial limb free of costs only for one time and therefore, the present writ petition seeking to provide a further sum of Rs.10,64,070/- for fitment of new artificial limb, is not sustainable as per their existing guidelines / instructions, and sought for the dismissal of the writ petition.

4. Heard the learned counsel on either side and also perused the materials available on record.

5. The learned counsel appearing for the petitioner has drawn the attention of this Court to the Office Memorandum dated 08.07.2014 issued by the Government of India, Ministry of Health and Family Welfare Department, relating to revision of lists and rates of artificial appliances



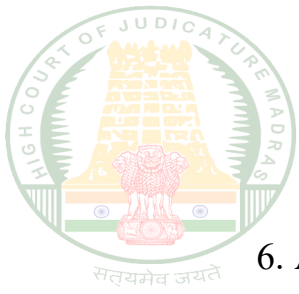
for CGHS/CS(MA) beneficiaries and the general guidelines relating to eligibility criteria. The said memorandum categorizes the list of artificial appliances and its rates into three categories namely Annexure-I, Annexure-II and Annexure-III. Annexure-I deals with rates and specifications of various types of Prosthetics (artificial limbs). Clause 3 of the said memorandum contains the general guidelines for admissibility and reimbursement of expenses in respect of appliances mentioned in Annexure-I, Annexure-II and Annexure-III, which *inter alia* stipulates that (i) the maintenance costs to be borne by the beneficiary; and (ii) the appliances will be allowed for re-issue on completion of 5 years in case of adults and 2 years in the case of children, except motorized wheel chair and tricycle. Clause 3(iv)(c) of the said guidelines would read as follows :

“ 3(iv) High end prosthetics/appliances will be reimbursed only to the following category of Govt. Servants and their dependent family members subject to fulfilling of other criteria :

(a)

(b)

(c) Military or para-military personnel duly certified by their respective Medical Boards that the person has sustained injury while on field duty or undergone amputation because of injury sustained while performing such duty.



6. A reading of the above clearly indicates that the petitioner is entitled to be granted the relief, more particularly, when the petitioner has lost his limb in the line of his duty, while guarding the country. Therefore, the writ petition is allowed. The respondents shall sanction and approve the entire costs involved for replacing the artificial limb of the petitioner, within a period of four weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

16-03-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

DS

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