



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.6916 of 2021

and

W.M.P. (MD) No.5308 of 2021

WEB COPY

V.Vaiyapuri

... Petitioner

vs.

1.The Vice Chancellor
Annamalai University
Annamalai Nagar
Pin-608 002

2.The Registrar
Annamalai University
Annamalai Nagar
Pin-608 002

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of certiorarified mandamus calling for the records pertaining to the impugned order of the second respondent in Letter dated 10.08.2015 and quash the same and consequently directing the respondents to reimburse the medical claim of the petitioner for an amount of Rs.1,98,489/- along with interest @ 9% per annum.

For Petitioner : Mr.Mohamed Ayub.M.S.

For Mr.C.Jeganathan

For Respondents : Mr.P.Muthuvel

for M/s.Isaac Chambers

O R D E R

The order dated 10.08.2015, passed by the second respondent, is under challenge in this writ petition.

2. The petitioner served as Professor and Head of the Department of Agronomy, Faculty of Agriculture in the respondent - University. He was retired from service on 31.03.2016. The petitioner, while he was in service, had undergone discectomy operation in lumbar region on 08.03.2015 in Srinivasa Hitech Multi Speciality Hospital at Madurai. He submitted application for medical reimbursement along with bills and the second respondent, passed the impugned order dated 10.08.2015, rejecting the claim of the petitioner for medical reimbursement on the ground that the hospital, in which the petitioner underwent treatment, is not included in the list of approved hospitals by the respondent - University Health Fund Scheme. The impugned order was passed by the



second respondent when the petitioner was in service in the year 2015. The petitioner was retired from service on 31.03.2016 and he filed this writ petition in the year 2021.

3. The learned counsel for the petitioner made a submission that the petitioner was consistently approaching the respondent - University regarding his claim.

4. A mere statement in this regard is insufficient to condone such a long delay. However, the petitioner has not enclosed any document to establish that there were official correspondences between the respondent - University and him. Therefore, the petitioner has slept over his right for about six years and woke up at one fine morning and filed this writ petition to redress his grievances. This apart, the Tamil Nadu Health Fund Scheme was not applicable to the employees of the respondent - University during the relevant point of time. All these factors cannot be considered in view of the lapse of time and therefore, the writ petition is liable to be dismissed.

5. Accordingly, the writ petition is dismissed on the ground of laches. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

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/ /2022

Sub Assistant Registrar(CS)

Krk

+1 CC to M/s.C.JEGANATHAN, Advocate (SR-9143[F] dated 01/03/2022)

+1 CC to M/s.P.MUTHUVEL (ISAAC CHAMBERS), Advocate (SR-9303[F] dated 01/03/2022)

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SAR(CO)

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