

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.04.2016

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G. RAMESH
AND
THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.28842 of 2010
and M.P.No.1 of 2010

N.K.S.Ramakrishnan

..Petitioner

Vs.

- 1.The Union Secretary
Government of India
Ministry of Defence
New Delhi.
- 2.The Deputy Director General
A.F.M.S.(Pension)
Army Head Quarters
New Delhi.
- 3.The Major
Senior Record Officer
ASC Records (MT) South
Bangalore
- 4.The Hon'ble Member
Armed Forces Tribunal
Regional Bench
Chennai
- 5.The Principal Controller of Defence
Accounts (Pension)
Allahabad

..Respondents

Writ Petition filed praying to issue a writ of Certiorarified Mandamus calling for the records of the 4th respondent dated 8th April 2010 and quash the same and directing the 4th and 5th respondents to re-examine the petitioner's application for disability pension and to grant the petitioner disability pension from 5th April 1996.

For petitioner : Mr.R.Prabhakaran

O R D E R

(Order of the Court was made by K.RAVICHANDRABAABU, J.)

This Writ Petition is filed challenging the final order passed by the Armed Forces Tribunal, Regional Bench, Chennai, made in T.A.No.11 of 2010 dated 08.04.2010.

2. Since a statutory appeal against the said order lies only before the Honourable Supreme Court as stipulated under Section 30 of the Armed Forces Tribunal Act, 2007, we are of the view that the present Writ Petition is not maintainable before this Court. Accordingly, this Writ Petition is dismissed as not maintainable. However, it is needless to state that the petitioner can work out his remedy as stipulated under the Provisions of the Armed Forces Tribunal Act, 2007. No costs. Consequently, connected MP is closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

nvsri

To

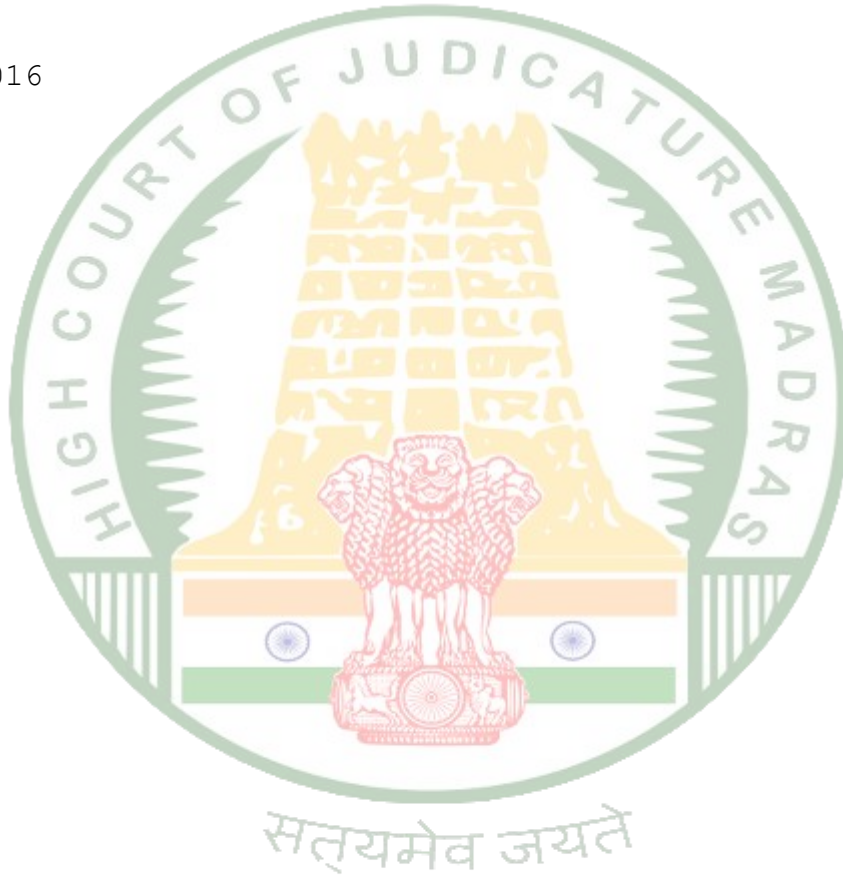
- 1.The Union Secretary
Government of India
Ministry of Defence
New Delhi.
- 2.The Deputy Director General
A.F.M.S.(Pension)
Army Head Quarters
New Delhi.
- 3.The Major
Senior Record Officer
ASC Records (MT) South
Bangalore
- 4.The Hon'ble Member
Armed Forces Tribunal
Regional Bench
Chennai

5.The Principal Controller of Defence
Accounts (Pension)
Allahabad

+1 cc to Mr.V.Balasubramanian Advocate sr.25408

Writ Petition No.28842 of 2010
and M.P.No.1 of 2010

nr(co)
aa12/05/2016



WEB COPY