

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 21222 of 2016

Order:

This Writ Petition is filed for the following relief.

“To issue a writ order or direction more particularly one in the nature of the Writ of Mandamus declaring the action of the 9th, 10th and 11th respondents in detaining the petitioner illegally, threatening him by applying current/electricity to his body and torturing him both physically and mentally under the guise of the Court of Inquiry to investigate the veracity of allegations contained in a complaint submitted by the 8th respondent with respect to the religious teacher held at Artillery Centre at Hyderabad from 16.09.2013 to 19.09.2013 and issuing Tentative Charge Sheet, dated 16.12.2015 basing on the pseudonymous and anonymous complaints is illegal, arbitrary, contrary to the principles of natural justice, violation of Constitution of India and bad in law and against the law and consequently set aside the same and Tentative Charge Sheet, dated 16.12.2015 including the entire Court of Inquiry basing on the complaint of the 8th respondent by directing the respondent authorities to remit back the petitioner to his mother regiment of 10 Med Regt (located at New Bowenpalli, Secunderabad).”

2. When the matter is taken up for admission, it is represented by the learned counsel for the respondents that the matter should be filed before the Armed Forces Tribunal and the learned counsel for the petitioner seeks permission of this Court to withdraw the Writ Petition with liberty to file appropriate application before the Armed Forces Tribunal.

3. Hence, the Writ Petition is dismissed as withdrawn granting liberty to the petitioner to file appropriate application before the Armed Forces Tribunal in accordance with law. There shall be no order as to costs.

4. As a sequel thereto, the miscellaneous applications, if any, pending in this Writ Petition shall stand closed.

A.
Date: 28.07.2016
Nsr

RAMALINGESWARA RAO, J