

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 01.07.2019

CORAM:

THE HONOURABLE **MR. JUSTICE S.M.SUBRAMANIAM**

WEB COPY

**W.P. (MD) No. 1452 of 2015**  
**and**  
**M.P. (MD) .Nos. 1 & 2 of 2015**

A. Peter Francis

... Petitioner

Vs.

1. SENIOR RECORD OFFICER,  
OIC RECORDS, RAKSHASURAKSHA CORPS  
ABHILEK, DEFENCE SECURITY CORPS RECORDS  
PIN-901277 C/O 56APO

2. DIRECTOR DSC,  
HQ SOUTHERN COMMAND  
PIN-908 791 C/O 56 APO

3. DIRECTOR GP STN DSC  
HEADQUARTERS,  
ATNK & K AREA (GS/DSC)  
PIN-900 432 C/O 56 APO

... Respondents

**PRAYER:** Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records in No.CA-3/1762/C-973/14 dated 15 September 2014 issued by the 1<sup>st</sup> respondent and quash the same and consequently, direct the respondents to permit the petitioner to work in the same place where he is working now till his superannuation, viz. Happ, Trichy.

For Petitioner : Mr.D.Selvaraj  
For Respondent : No appearance

**ORDER**

The posting order dated 15<sup>th</sup> September 2014, is under challenge in the present writ petition.

2.The writ petitioner enrolled into DSC on 29.08.1996 and he had served in various units located in various States. The writ petitioner was serving in his Home Station, since 23.11.2013. The writ petitioner received his discharge order vide proceedings dated 27<sup>th</sup> September 2014 and was directed to report to DSC Centre by 04<sup>th</sup> December 2015 for discharge drill. The writ petitioner



further states that the petitioner would be discharged from service on 31<sup>st</sup> December 2015 on completion of the age of 57 years.

3. The main contention of the writ petitioner is that he is liable to be discharged from service within a period of 11 months from the date of filing of the present writ petition and he has got two daughters and the marriage proposal, during the relevant point of time, was under process.

4. Citing the personal grievances, the writ petitioner challenged the order of posting. Even as per the affidavit filed in support of the writ petition, the writ petitioner was liable to be discharged from service on 31<sup>st</sup> December 2015. The impugned order was passed on 15.09.2014. The writ petition was filed on 30<sup>th</sup> January 2015 and now there is a lapse of about 4 ½ years from the date of filing of the writ petition. Thus, the cause arose deserves no further adjudication. Accordingly, the writ petition stands closed. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar (CS)

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To

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