



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.08.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.(MD)No.8703 of 2014

and

M.P.(MD)Nos.1 and 2 of 2014

K.Kanagaraj

... Petitioner

-Vs-

1.The Commandant,
Office of the Commandant,
45th Bn, ITBP Police,
P.O.Amoor South, Idayapatti Camp,
Madurai-625 110.

2.Gopi Nathan Choyi

3.Manoj

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records on the file of the first respondent pertaining to its order No.I-26012/11/14/E-11/Suspension/HC(Med)K.Kanak Raj / 2014-2203 dated 17.04.2014 and to quash the same.

For Petitioner : Mr.S.C.Herold Singh

For Respondents : No Appearance

ORDER

The order of suspension dated 17.04.2014, placing the writ petitioner under suspension, is under challenge in the present Writ Petition.

2.Admittedly, the writ petitioner is working in Indian Army and the subject matter of the Writ Petition is in relation to the service of the writ petitioner and accordingly, the jurisdiction of the High Court is disappeared, on account of the Armed Forces Tribunal Act, 2007 (hereinafter referred to as 'the Act'). As per Section 3(o) of the Act, the writ petitioner has to approach the Armed Forces Tribunal for redressal of his grievances. Accordingly, the writ petitioner is at liberty to approach the Armed Forces Tribunal for the redressal of his grievances in the manner known to law.



W.P.(MD)No.8703/2014

3. With this liberty, this Writ Petition stands disposed of.
No costs. Consequently, connected miscellaneous petitions are closed.

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Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar

+1 CC to M/s.S.C.HEROLD SINGH, Advocate (SR-83947[F] dated 28/08/2019)

W.P. (MD)No.8703 of 2014
28.08.2019

Myr
MS/10.09.2019/2P.2C