



WEB COPY



W.P.No.13631 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.10.2025

CORAM :

THE HONOURABLE MR. MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.No.13631 of 2025
and W.M.P.No.15305 of 2025

- 1.Union of India
through the Secretary,
Government of India,
Ministry of Defence,
South Block,
New Delhi 110 011
- 2.The Chief of the Air Staff
Air HQrs, Vayu Bhawan,
Rafi Marg,
New Delhi - 110 105
- 3.The Directorate of Air Veterans
Air Headquarters,
Subroto Park,
New Delhi - 110 010
- 4.Jt. Controller of Defence
Accounts (Air Force)
Subroto Park,
New Delhi - 110 010

Petitioners

Vs



W.P.No.13631 of 2025

Ex JWO Vijayadasan
No.690623
S/o.Late Duraikannan
House No.245, 13th Cross Street
Phase I, Vallalar, Sathuvachari,
Vellore Taluk and District
Tamil Nadu-632 009

Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorari calling for the records relating to the order passed by the Armed Forces Tribunal, Regional Bench, Chennai in M.A.No.162 of 2023 in R.A.No.41 of 2022 dated 3.8.2023 and R.A.No.41 of 2022 dated 23.11.2022 confirming the order passed in O.A.No.40 of 2020 dated 19.4.2022 quash the same and consequently restrict the arrears for three years from the date of filing the O.A.

For Petitioners: Mr.V.Chandrasekaran

For Respondent: Ms.S.Sivaranjani
for Mr.M.Selvaraj

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

Heard learned counsel for the parties.

2. Learned counsel for the Union of India vehemently argued that grant of benefit of revised pension as directed by the Tribunal is wrong and the Tribunal ought to have granted pension from 1.1.2006.



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3. Learned counsel for the respondent would submit that the principles laid down by the Hon'ble Supreme Court in the case of *Union of India and others v. Tarsem Singh*¹ may not apply in the present case, as the petitioners have taken a policy decision on 13.10.2016 to grant actual benefit of arrears of pension from 01.01.2006.

4. We find that the petitioners themselves have taken a policy decision on 13.10.2016 to grant actual benefits of arrears of pension with effect from 01.01.2006.

5. In view of the above, no interference is warranted with the order of the Tribunal.

6. The writ petition is dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

(MANINDRA MOHAN SHRIVASTAVA, CJ) (G.ARUL MURUGAN,J)
28.10.2025

Index : Yes/No

¹ Civil Appeal No.5151-5152 of 2008, dated 13.08.2008



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Neutral Citation : Yes/No
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THE HON'BLE CHIEF JUSTICE
AND
G.ARUL MURUGAN,J.

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