



WEB COPY



W.P.No.21685 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.03.2025

CORAM

THE HON'BLE MR. JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Writ Petition No.21685 of 2024

M.Masilan

... Petitioner

Vs.

1.Union of India

Through its Secretary,
Ministry of Defence,
New Delhi – 110 034.

2.The Chief of Army Staff,

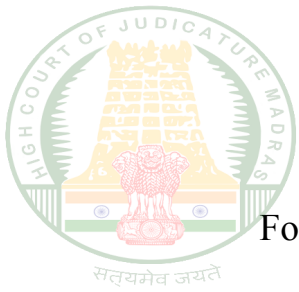
Through Adjutant General (ADGDV)
Army Headquarters,
New Delhi – 110 011.

3.The Officers in Charge,

Intelligence Crops Records,
Pune, Maharashtra – 411 040.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus to call for the records at the Order dated 10.01.2017 passed by the Hon'ble Armed Forces Tribunal, Principal Bench, New Delhi O.A.No.520 of 2013 and consequently, direct the 2nd and 3rd respondents to re-instate the petitioner in the post of last holding post in FS Section.



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For Petitioner : Mr.M.Masilam (Party-in-Person)

For Respondents : Mr.K.Venkataswamy Babu,
Senior Panel Counsel for Government of India

ORDER

(Order of the Court was made by S.M.SUBRAMANIAM,J.)

The writ on hand has been instituted challenging the order dated 10.01.2017 passed in O.A.No.520 of 2013 on the file of the Armed Forces Tribunal, Principal Bench, New Delhi.

2. The petitioner appearing in person would submit that initially, he filed original application before the Armed Forces Tribunal at New Delhi and presently, he is settled in his native place at K.V.Kuppam, Katpadi Taluk, Vellore District. Therefore, he has chosen to file the present writ petition before the High Court of Madras.

3. The writ petition is not entertainable, in view of the fact that the order sought to be quashed was passed by the Armed Forces Tribunal, Principal Bench, New Delhi and the said order is to be challenged before the High Court of New Delhi. Secondly, the order of the Principal Bench, New Delhi was passed on



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10.01.2017 and the present writ petition has been filed, after a lapse of about 7 years from the date of passing of the order by the Armed Forces Tribunal, Principal Bench, New Delhi. Thus, it is hit by latches.

4. In any angle, the present writ petition is not maintainable and thus, this Court is not inclined to entertain the same consequently, the writ petition stands dismissed. There shall be no order as to costs. Consequently, the connected miscellaneous petition also stands closed.

(S.M.S., J.) (K.R.S., J.)
12.03.2025

ssi

Index: Yes

Speaking Order: Yes/No

Neutral Citation Case : Yes/No

To

1.Union of India, Through its Secretary,
Ministry of Defence, New Delhi – 110 034.

2.The Chief of Army Staff,
Through Adjutant General (ADGDV)
Army Headquarters, New Delhi – 110 011.

3.The Officers in Charge,
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