



W.P.(MD).No.32262 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 12.11.2025

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD)No.32262 of 2025
and
W.M.P(MD)No.25373 of 2025

Mr.C.Jaba Prem

...Petitioner

Vs

1.The Director,
PS Directorate (AG/PS-9),
A Block, Room No.536, 5th Floor,
Defence Office Complex,
KG Marg, Adjutant General's Branch,
HQ of Mod (Army), New Delhi – 110001.

2.The Director,
Additional Directorate General of Personnel Service,
(AG/PS-8 For Adjutant General's Branch),
Integrated HQ of Mod (Army),
Room No. 527, 5th Floor,
'A' Block, Defence Office Complex,
KG Marg, New Delhi – 110001.

3.The Lt Colonel / Senior Record Officer,
For O/c EME Records,
Pension Cell, RO Secunderabad,
Pin 900 453,
C/o 56 APO.

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned rejection order passed by the third respondent vide official letter No.14673451W/DP-4/Pen dated 30.01.2021 in respect of the Petitioner claim for Disability Pension, and the consequential orders passed by the second and first respondents vide official letters No.B/40502/89/2024/AG/PS-8 dated 24.04.2024 and B/38046A/682/2024/AG/PS-9 dated 20.05.2025, respectively and Quash the same as illegal and consequently direct the respondents to sanction and disburse the Petitioner Disability Pension based on the findings of the Release Medical Board Proceedings dated 26.09.2020, along with all consequential benefits.

For Petitioner : M/s.K.Vidya

ORDER

This writ petition has been filed for a writ of Certiorarified Mandamus, calling for the records pertaining to the impugned rejection order passed by the third respondent vide official letter No. 14673451W/DP-4/Pen dated 30.01.2021 in respect of the petitioner's claim for Disability Pension, and the consequential orders passed by the second and first respondents vide official letters No.B/40502/89/2024/AG/PS-8 dated 24.04.2024 and



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B/38046A/682/2024/AG/PS-9 dated 20.05.2025, respectively and quash the same as illegal and consequently direct the respondents to sanction and disburse the Petitioner Disability Pension based on the findings of the Release Medical Board Proceedings dated 26.09.2020, along with all consequential benefits.

2. The Registry has raised an issue regarding maintainability as to how the writ petition would be maintainable as the appropriate forum would be the Armed Force Tribunal. A compliance had been made by the learned counsel for the petitioner indicating that although an appellate remedy is available before the Tribunal, the impugned orders are non-speaking and arbitrary, and therefore the writ petition under Article 226 of the Constitution of India is maintainable. This Court is unable to accept the claim made by the learned counsel for the petitioner.

3. For the very same reason, the petitioner can approach the Armed Force Tribunal. Hence, when a statutory alternate remedy is available to the petitioner, this Court is not inclined to exercise its power under Article 226 of the Constitution of India. Accordingly, this writ petition is



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dismissed as not maintainable with liberty to the petitioner to approach the appropriate forum in a manner known to law. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

12.11.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
Sn

Note:Registry is directed to return the original impugned order to the learned counsel for the petitioner.

To:

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K.KUMARESH BABU, J.

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