



W.P.No.11309 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.03.2026

CORAM :

THE HONOURABLE MR. SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

WP No.11309 of 2026

M.Paripooranam,
W/o.R.Marimuthu,
D/o.(Late) T.Mariappan,
Ex NK 6784701, Residing at
No:Devagoundenpatty,
Marampady Post, Vedasanthur Taluk,
Dindigul-624709.

Petitioner(s)

Vs

1. Union of India,
through the Secretary,
Government of India,
Ministry of Defence,
South Block, New Delhi-110011.
2. The Chief Army Staff,
Integrated HQ of MOD (Army),
DHQ, PQ, New Delhi.
3. The Officer-In-Charge,
Army Medical Corps Record Office,
PIN-90040, C/O 56 APO.



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4. The PCDA (P), Draupati Ghat,
Allahabad-211014.

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Respondent(s)

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the Armed Forces Tribunal, Regional Bench, Chennai, to direct the respondents to file counter within a time frame and dispose of O.A.No.5 of 2025 within a period fixed by this court.

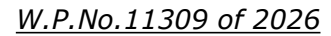
For Petitioner(s): Mr. S.Natarajan

ORDER

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

Strange it is that a writ petition has been filed seeking invocation of the discretionary jurisdiction of this Court under Article 226 of the Constitution of India to direct the Armed Forces Tribunal, Regional Bench, Chennai, to direct the respondents to file counter within a time frame and dispose of O.A.No.5 of 2025 within a period fixed by this court.

2. The facts in a nutshell are that the petitioner is a divorced daughter of Late T.Mariappan and as her mother predeceased her father, she claims to be eligible for grant of family pension. As her claim was rejected by the third respondent vide order dated





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5. It is evident from the order dated 3.12.2025 in O.A.No.5 of 2025 passed by the Armed Forces Tribunal that the Standing Counsel for the respondents sought time to file counter and reply statement and granting a last opportunity to file the same, the matter was adjourned by eight weeks.

6. The Armed Forces Tribunal is presided by a Retired Judge of the High Court. If the averments contained in an affidavit are not controverted by counter affidavit, it is to the advantage of the petitioner. The Tribunal, on being satisfied with the merits of the claim made by the petitioner, may even accept the contents of the application to be true and correct, though we refrain from expressing any opinion on the merits. When the direction was issued by the Tribunal only on 3.12.2025 granting eight weeks time to file counter, the present writ petition is filed to direct the Tribunal to in turn direct the respondents to file counter within a stipulated time. Such direction if granted exercising writ jurisdiction would be tantamount to entrenching upon the authority of the Tribunal.



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7. Moreover, the Original Application pertains to the year 2025. It is not as if in a long pending case the counter affidavit has not been filed by the respondents. That apart, we are unaware of the pendency position before the said Tribunal to direct consideration of this case out of turn expeditiously. The Tribunal is governed by its procedure postulated in the Armed Forces Tribunal (Procedure) Rules, 2008. Nothing has been shown by the petitioner to prove that there is violation of the procedure contemplated under the Rules.

For the foregoing reasons, the writ petition is dismissed.
There shall be no order as to costs.

(SUSHRUT ARVIND DHARMADHIKARI,CJ) (G.ARUL MURUGAN,J)

25.03.2026

Index : Yes
Neutral Citation : Yes
sasi



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To:

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