

ARMED FORCES TRIBUNAL, REGIONAL BENCH, CHENNAI

O.A.No.23 of 2013

Thursday, the 04th day of July, 2013

THE HONOURABLE JUSTICE V. PERIYA KARUPPIAH
(MEMBER - JUDICIAL)

AND

THE HONOURABLE LT GEN (RETD) ANAND MOHAN VERMA
(MEMBER – ADMINISTRATIVE)

A.M. Kannan E RAY No: 1200092 Age: 35 yrs.
S/O Late Mr. S. Arumugam,
INS Eksila, Naval Base,
Visakhapatnam.

... Applicant

By Legal Practitioners:
M/s. S. Sathiyamoorthy & S. Raghupathy

Vs.

1. Union of India,
Through Secretary,
Ministry of Defence,
New Delhi-110 011.
2. The Chief of Naval Staff,
Through Jt Director of Personnel (Sailors),
Naval Headquarter,
New Delhi 110011.
3. The Flag Officer Commanding-in-Chief,
Headquarters Eastern Naval Command,
Naval Base,
Visakhapatnam-530 014.

... Respondents

By Mr.B.Shanthakumar, SPC

ORDER

(Order of the Tribunal made by
Hon'ble Justice V.Periya Karuppiah,
Member-Judicial)

1. This application has been filed by the applicant seeking to set aside the impugned Orders passed by the 2nd respondent in RP/1201/11/AMK dated 19.10.2011, and in RP/1201/11/AMK dated 17.1.2013, and consequently to direct the respondents to discharge the applicant from the Indian Navy expeditiously and to pay all terminal benefits from the date of discharge of the applicant within the time as fixed by the Tribunal and also to pass such other orders which are necessary.

2. The facts which detailed in the application filed by the applicant are as follows :-

The applicant was enrolled as a Matric Entry Recruit on 31.7.1996 in the Indian Navy. He was subsequently selected for Naval Entry Artificer Course and nominated for training from 17.9.1999 with a balance service of 12 years. During the course of training, the applicant was insisted to seek for five years extension of service, if he wishes to continue in the upgraded cadre. The applicant had accordingly submitted a request for five years

extension of service which was approved in February, 2000. After the completion of training and subsequent promotion as an Engineering Artificer, the applicant served 11 years in the same rank. During the said period, the applicant suffered pathological inter vertebral dislocation problem diagnosed as 'Moderately Advance severe Degenerative Disc disease.' He was also placed in Low Medical Category S2A2 (Physical). The applicant has an obligation and duty of supporting his mother and mother-in-law, who are widows and are totally depending on him. His mother suffers from Cervical Spondylitic Myelopathy and Osteoporosis of entire spine where the pain radiates to both shoulders from time to time. His mother-in-law is also suffering from Diabetes and also has an impaired hearing problem. His father and maternal grand mother expired in December, 2009. The wife of the applicant is forced to shoulder all the responsibilities to take care of both her mother and mother-in-law since she is the only daughter of her mother. The wife of the applicant is also presently employed in a Company and she is also not in a position to take care of both elderly family members, who are patients. The applicant's mother has been advised to strictly adhere to physical restrictions to avoid neurological deficit for which she needs the support of the applicant. Failure to adhere the restrictions, she may have every chance of suffering paralysis attack and the applicant would then land up in a more critical situation. The applicant has 24x7 commitments in service and with other exigencies, he is not able to take care of his mother,

being in the Naval service, despite his best efforts. In this grave circumstance, working as an Engineering Artificer round the clock in ships and dockyard has become difficult and his health condition does not permit him, to exert further. The officials of the 3rd respondent, after examining all the medical records produced by the applicant and after personal enquiry with the applicant were satisfied that the case of the applicant is genuine and deserved to be considered. The Flag Officer Commanding-in-Chief, Eastern Naval Command, Visakhapatnam, in his recommendation dated 2.5.2012 had analysed the case of the applicant and recommended to discharge the applicant from service and the said facts were not considered by the 2nd respondent, but an impugned order was passed rejecting the claim of the applicant without any application of mind. The applicant's request for discharge from service is bonafide and those factors were not disputed by the respondents. The Order of rejection dated 17.1.2013, is arbitrary and not maintainable, but is violative of Article 14, 16 and 21 of the Constitution of India. The circumstances will show that the claim of the applicant that he be discharged from service on compassionate grounds should be accepted. The applicant had sought for discharge from service even before he completed the pensionable service and it would show his bonafide and genuineness of the claim. The 2nd respondent had reasoned that the mother-in-law of the applicant was not the dependent of the applicant, but she is dependent on the wife of the applicant by all means

since the wife of the applicant is the only daughter of her mother. No male issue for her mother to take care of the applicant's mother-in-law. Therefore, the applicant would request the Tribunal to set aside the impugned Orders dated 19.10.2011 and 17.1.2013, and to direct the respondents to discharge the applicant from Indian Naval Service expeditiously and to pay all the terminal benefits from the date of discharge and thus the application be allowed.

3. The objections raised by the respondents in the Reply Statement would be as follows :-

The applicant was enrolled in the Navy on 30.7.1996 as a Matric Entry Recruit (MER) and was allotted Mechanical Engineering (GT) Branch with initial engagement of 15 years i.e. till 29.7.2011. The applicant also qualified for upgradation to x-pay group through Navy entry Artificers Scheme exam and underwent specialist training for Artificers at INS Shivaji from 20.9.1999 to 17.9.2001. As a pre-condition, the applicant had submitted his willingness for further extension of service by five years till 31.7.2016. The applicant was medically categorized, for his Low back ache, at S3A2(P) T-24 with effect from 21.4.2008 and at S2A2(P) Pmt with effect from 22.11.2008 and at S2A2(P) Pmt with effect from 23.11.2012. The applicant is fit for serving on board seagoing ships in this medical category

S2A2 (P) Pmt. As per the medical category, the applicant is also fit for promotion and for extension of service since he is in medical category is S2A2(P) Pmt. The application of the applicant with a request for discharge on compassionate ground under Regulation-280 of Navy (Part-III) was not considered by the 2nd respondent for valid reasons. The medical papers submitted by the applicant were examined in detail with the consultation of the medical authorities and it was established that the ailments of the applicant's mother was due to her age. The medical state of the applicant was also found fit for serving on board seagoing ships. As per the provisions of Section-14(1) of the Navy Act, 1957, every soldier is liable to serve until he is duly discharged, dismissed, retired, permitted to resign or released. As per Section-14(3) of the Act, discretion is given to the competent authority to accept or reject any application for premature release from service. The said discretion was rightly exercised by the 2nd respondent competent authority and, therefore, the request of the applicant for premature discharge may not be ordered. The request of the applicant was rightly rejected by the 2nd respondent on two occasions and, therefore, the impugned Orders passed thereon need not be set aside. The application is, therefore, liable to be dismissed.

4. On the above pleadings, the following points were framed for disposal in this application :-

- 1) Whether the impugned Orders passed by the 2nd respondent in RP/1201/11/AMK dated 19.10.2011 and RP/1201/11/AMK dated 17.1.2013, are liable to be set aside ?
- 2) Whether the request of the applicant seeking for premature discharge from Indian Naval Service is deserved for consideration ?
- 3) To what relief the applicant is entitled for ?

5. Heard Mr. S. Sathiamurthy, Learned Counsel for the applicant, and Mr. B. Shanthakumar, Learned Senior Panel Counsel, assisted by Mr. Rahul Ahlawat, Learned JAG Officer appearing for the respondents.

6. The Learned Counsel for the applicant would submit in his argument that the applicant was enrolled in the Indian Naval Service on 31.7.1996 as Matric Entry Recruit and he was selected for Naval Entry Artificer Course and subsequently he had also promoted as an Engineering Artificer and served for 11 years in the same rank. He would also submit that the applicant had applied for discharge from Naval Service on compassionate domestic grounds on 16.11.2009, since he was suffering from PIVD diagnosed as Moderate Advanced Severe Degenerative Disc Disease. The applicant was also categorised Permanent Low Medical Category S2A2 and despite the said categorisation, the applicant was continuing his service in the Navy. He

would further submit that the applicant had an aged mother and mother-in-law, who are widows and are totally depending on him. The applicant has also to support his mother-in-law since his wife has no brother or sister to look after his mother-in-law during the evening of her life. He would further submit that the applicant had lost his father and grand mother in a span of 10 days during December, 2009, for the reason that the applicant could not exert his attention, on his personal life. He would also submit the applicant approached the Armed Forces Tribunal, Principal Bench of New Delhi, in O.A. No.402/2010 challenging the rejection of his application by the respondents and the said OA was dismissed as withdrawn with liberty given to the applicant to file fresh application before the said Tribunal after the statutory complaint, if filed by the applicant expeditiously and preferably within three months from the date of filing fo the statutory complaint and on the outcome of the same. He would also submit that the statutory complaint given by the applicant was not disposed of and, therefore, he preferred another application before the Armed Forces Tribunal, Principal Bench, New Delhi, in O.A.No.697 of 2010, and the said application was ordered to be transferred to this Tribunal and accordingly the papers were received and the case was taken on file in T.A.No.5 of 2011. He would further submit that this Tribunal had permitted the applicant to withdraw the application with liberty to challenge the order likely to be passed by the appropriate authority after exhausting the remedy and thus the application was disposed of with a

liberty on 9.12.2011. He would further submit that the applicant had approached the respondents for exhausting all the remedies by seeking through a letter dated 2.5.2012 and the same was not considered and an impugned order was passed on 17.1.2013 rejecting the claim of premature discharge from service on compassionate ground. Challenging the said order, the applicant is knocking the door of this Tribunal for permitting him to be discharged on compassionate ground. The Learned Counsel for the applicant would also submit that the request of the applicant was recommended by his Commanding Officer, and the recommendation was submitted to the Commander of Eastern Command, Naval Base, Visakhapatnam. However, the said recommendations made by the Commanding Officer was not considered by the 1st respondent and was rejected by the 1st respondent without meeting all the points of recommendations. He would also submit that the applicant's presence is essential for looking after the welfare of his family as well as his mother-in-law. The applicant has to sail the ship daily from Chennai to Rameswaram and he is virtually away from home despite he has been posted at Chennai. He would also cite the Judgement of the Delhi High Court reported in **1999 (4) SNR 630** between **Lt. Colonel Diemar Vs. Union of India**. Relying upon the aforesaid Judgement, he would argue that the facts of the present case is identical with the facts of the case dealt with in the Judgement and the applicant therein was granted with the relief of premature discharge on

compassionate ground on considering his family circumstances. He would cite yet another Judgement of Delhi High Court reported in **60 (1995) DLT 118** between **Major Rahul Shukla Vs. Union of India**, for the principle that the contract of employment of any person is not a bond of slavery and a permanent employee cannot be deprived of his right to resign. He would further submit in his argument that the execution of a letter for extending the period of his employment for over five years at the time of entering into the training course would not in any way hamper the applicant from seeking discharge on compassionate ground, which is a subsequent cause of action. He would, therefore, request that the application be allowed and the respondents be directed to discharge the applicant from service of Indian Navy on compassionate ground on his application.

7. The Learned Senior Panel Counsel would submit in his argument that the applicant Sailor was no doubt enrolled in the Navy on 30.7.1996 and subsequently he underwent training through the Navy Entry Artificers Scheme exam and is a Specialised trainee for Artificers at INS, Shivaji for two years. He would also submit that as a pre-condition to the training, the applicant had submitted his willingness for further extension of service by five years from the date of completion of the period of engagement and, therefore, the applicant has to render service till 31.7.2016. He would further submit that the applicant is serving on board seagoing ship and the

categorisation of S2A2 Pmt is not a hindrance to perform his duties. The application submitted by the applicant seeking for his release from Naval service was reviewed by the Integrated Headquarters/Ministry of Defence by the Directorate of Personnel in detail and the same was rejected. He would also submit that the applicant had submitted his further extension of service by five years and also submitted his application for premature discharge on compassionate ground, which is not sustainable. He would also point out the provisions of Section-14 of Navy Act, 1957, in respect of the liability of Officers and Sailors. Explaining the provisions, he would further argue that it is the discretion of the competent authority to accept or reject any application for premature release from service. He would also submit that the said restriction imposed upon the Officers and Sailors of the Navy would not in any way violate Article-14 of the Constitution of India in view of Section-4 of the Navy Act and, therefore, the arguments of Learned Counsel for the applicant would not apply to the present case. He would also submit that the mother-in-law of the applicant would not be a dependent of the applicant and the liability of his wife would not in any way give him reason for seeking premature discharge. He would further submit that the ailment of applicant's mother was only due to ageing factor and the applicant being fit to sail in the ship despite his Low Medical Category Permanent need not be discharged on compassionate grounds. He would, therefore, submit that the Order of rejection passed by the 1st respondent on the application of the

applicant seeking for premature discharge from service is perfectly alright and no interference is necessary and, therefore, the application be dismissed.

8. We have given anxious thoughts to the arguments advanced on either side. We have also perused the records.

9. **Points No.1 & 2:** The facts that the applicant was enrolled as a Matric Entry Recruit on 30.7.1996 in the Indian Naval Service and he was selected for Naval Entry Artificer course and undertook training and during that training he has executed a letter for extension of five years service which made him to serve till 31.7.2016, and he was promoted as an Engineering Artificer and he has served in various places and now he is serving at Chennai are indisputable. Similarly, the facts that the applicant had submitted a letter on 16.11.2009 for his premature discharge on compassionate domestic grounds and the applicant was diagnosed to have been affected by '**Moderately Advance severe Degenerative Disc disease**' and was categorised in permanent Low Medical Category S2A2 and the said disability was not a hindrance to his continuance in service, are also not disputed. However, the application given by the applicant on 16.11.2009 containing the reasons that the applicant alone has to look after his aged mother and on behalf of his wife to look after his mother-in-law,

who are aged, ailing widows, were not accepted by the respondents. The request of the applicant was thus rejected. The applicant had, therefore, presented an application before Armed Forces Tribunal, Principal Bench, New Delhi, in O.A.No.402 of 2010 and the said application was disposed of on 22.7.2010 with liberty to file fresh application after preferring a statutory complaint, to be filed by the applicant, and should be disposed of within three months and on the outcome of the statutory complaint. The applicant had filed a statutory complaint and the same was not accepted once again by the respondents and no order was passed thereon for a reasonable time and, therefore, he has filed yet another application before the Armed Forces Tribunal, Principal Bench, New Delhi, in O.A.No.697 of 2010 for a direction against the respondents to accept the plea of premature discharge on compassionate ground by the applicant. The said application was transferred to the file of this Tribunal on territorial jurisdiction and accordingly the transferred papers were taken on file by this Tribunal in T.A.No.5 of 2011 for disposal. When the matter was heard in T.A.No.5 of 2011 (after re-numbering), this Tribunal has given an option to the applicant to exhaust the remedy of statutory complaint and to approach this Tribunal, if necessary, and by giving a liberty the application was dismissed as withdrawn. The statutory complaint given by the applicant was rejected by the authorities and, therefore, the applicant has now approached the

Tribunal against the said impugned Order and for a direction to permit the applicant be released on premature discharge on compassionate ground.

10. The impugned Order challenged before us was passed on 17.1.2013, which confirmed another Order of rejection by the 2nd respondent dated 19.10.2011. In the said impugned Order dated 17.1.2013, it has been stated that the competent authority does not consider the case of discharge on compassionate grounds and, therefore, the application was rejected. However, in the impugned Order dated 19.10.2011, two reasons were given in para-2 for not accepting the request for discharge of the applicant on extreme compassionate grounds. They are :-

"2. The case has been examined in detail in consultation with Medical Services. It emerges that the grounds projected by the sailor do not construe as undoubted material hardship to the sailor or dependents as required vide Reg 280 of Regs IN Part III. In that the following emerge:-

(a) The sailor has been recommended fit to continue in Naval Service in LMC S2A2 (Pmt) by the Medical Board. Sailors in LMC S2A2 are fit for sea and shore service with restrictions.

(b) Clinical findings and MRI report of the sailor's mother are in keeping with her age (69 years). She does not have significant sensory or motor deficit and is capable of self care."

11. In the said impugned orders, it was stated that they have examined the reasons in consultation with medical services. The letters written by Commanding Officer dated 12.5.2011 and 16.9.2011 were referred for consideration and for passing the impugned orders. The Commanding Officer while forwarding the request of the applicant for premature discharge on extreme compassionate ground had written a covering letter with recommendations, which is dated 26.3.2012. In the said letter, recommendations were made by the Commanding Officer to the Flag Officer Commanding-in-Chief for the premature discharge of the service of the applicant on compassionate grounds as genuine and deserved. The documents produced by the applicant regarding the illness of his mother, who was affected by Cervical Spondylitic Myelopathy and the mother-in-law's chronic diabetes have been considered and the family circumstances as told by the applicant were found true. The widowed mother-in-law of the applicant was stated to be in the care and custody of the applicant's wife, who happened to be her only issue. However, it is reasoned that the mother-in-law is not a dependent of the applicant and, therefore, his claim

cannot be considered by the respondents. It is an admitted fact that the applicant is placed under Low Medical Category S2A2 (P). Since he has got a good track record, he is found good in his performance despite his disability which happened due to his service. The reasons given by the respondents for retaining the applicant despite his disability after being placed in Low Medical Category S2A2 (P) is not appreciable. Similarly, the rejection of the applicant's pious duty payable to his mother at her old age, who also lost her husband recently, was not considered, but it was rejected without valid reasons. The Commanding Officer's discussion regarding the application of the applicant was not entirely considered while passing the impugned orders. The applicant's submission that his father and grand mother passed away during December, 2009, in a span of ten days owing to his inability to look after them was not disputed by the respondents.

12. Equity and justice require that the facts and circumstances as told by the applicant in his request for premature discharge on extreme compassionate ground have to be accepted. The respondents did not give any other reason like, the applicant was given specialised training which caused much expenditure for the Government and his service is indispensable. The only reason which was stressed by the respondents in the Counter as well as in the argument was that the applicant had executed a Bond for extension of his service from 31.7.2011 to 31.7.2016 and,

therefore, he should not be permitted to go on premature discharge on extreme compassionate ground.

13. In the Judgement of the Delhi High Court cited by the applicant reported in 1999 (4) SLR 630 between **Lt Col KS Bhimal Vs Union of India**, para-9 would run as follows :-

"The Respondents have not disputed the position of the petitioner and his obligation to his parents. Therefore the petitioner cannot be denied his right to seek premature retirement. The Respondents have acted illegally in rejecting the request of the petitioner for premature retirement and the Respondents have not taken into account the relevant factors to come to the decision relating to the request of the Petitioner for premature retirement."

In the said Judgement, the application of the petitioner in that case it was found cannot be disputed and their right to seek premature retirement need not be rejected.

14. In yet another Judgement reported in **60 (1995) DLT 118 (DB)** of Delhi High Court between **Major Rahul Shukla Vs Union of India**, it was held that *"entering into a contract of employment does not tantamount to a*

bond of slavery and a permanent employee cannot be deprived of his right to resign."

15. At this juncture, the Learned Senior Panel Counsel would point out the exemption given under Section-14 of the Indian Navy Act, and explained.

Section-14 of the Indian Navy Act runs as follows :-

"14. Liability for service of officers and sailors. – (1)

Subject to the provisions of sub-section (4), officers and sailors shall be liable to serve in the Indian Navy or the Indian Naval Reserve Forces, as the case may be, until they are duly discharged, dismissed with disgrace, retired, permitted to resign, or released.

(2) No officer shall be at liberty to resign his office except with the permission of the Central Government and no sailor shall be at liberty to resign his post except with the permission of the prescribed officer.

(3) The acceptance of any resignation shall be a matter within the discretion of the Central Government or the officer concerned, as the case may be.

(4) Officers retired or permitted to resign shall be liable to recall to naval service in an emergency in accordance with regulations made under this Act, and on such recall shall be

liable to serve until they have been duly discharged, dismissed, dismissed with disgrace, retired, permitted to resign, or released."

16. As per the above said provisions, it is quite clear that there should be permission for experiencing the right to resign in the case of the subjects of the Indian Navy Act. Such restrictions imposed under Section-14 cannot be considered as violative of Article-14 in view of Section-4 of the Indian Navy Act, which would run as follows :-

"4. Fundamental rights to apply to persons subject to naval law with modifications. - The rights conferred by Part III of the Constitution in their application to persons subject to naval law shall be restricted or abrogated to the extent provided in this Act."

17. On a careful perusal of the said provision, and on a combined reading of Section-14 and Section-4, we can understand that the combined reading of Section-4 and Section-14 would go to show that the applicant being a subject of Indian Navy Act should necessarily get permission from the competent authority for being discharged on resignation. This position of law will not in any way hinder the competent authorities to pass an order in

after exercising their discretion lawfully while granting permission to resign from the employment.

18. The Judgement of Kolkata Bench made in T.A.No.29 of 2012 dated 1.5.2013 between **Havildar Ashok Kumar Joshi Vs. Union of India and others**, would lay down the following decision :-

"13. We also take note of the fact that the Additional Chief Engineer (ES), HQ, Eastern Command vide his letter dt. 14.12.2012 (R3) addressed to Brig.Bal Raj Singh, Commandant BEG & Centre, has very strongly recommended the case of the applicant for early discharge on compassionate ground. He has specifically stated that due to mental agony the applicant has not been able to perform his duty to his full potential. Although the respondents have taken a ground paucity of clerks, we are of the view that the applicant being a Havildar Clerk, his early discharge will not prejudice the respondents in any manner. Considering all aspects of the matter, we are of the view that this is a fit case where this Tribunal should intervene and issue direction to the respondents to consider the matter of early discharge of the applicant as an extreme compassionate case."

19. In the light of the facts and circumstances and the principles laid down in various Judgements quoted above, we have to weigh the advantages and hardships of both sides, if premature discharge on extreme compassionate ground is ordered. The applicant had the extension period and was not found to have given any specialised training for his service. Therefore, by denying the relief of premature discharge and to continue in service of the applicant till 31.7.2016, there would not be any advantage accrued to the respondents. But it would result much impact on personal life of the applicant, who had already lost his father and grand mother within a span of ten days during December, 2009. It is the right time for the applicant to be discharged prematurely on extreme compassionate ground since he himself has asked for the discharge. The loss of benefits which he is likely to reap in his service may not cost much when it is compared with the non-performance of his personal obligations to his mother and his wife. Therefore, the applicant will be much prejudiced and his hardship will outweigh the advantages of the respondents in keeping the applicant in employment. If permission is granted to the applicant to be released on premature discharge on extreme compassionate ground, will not in any way affect the respondents.

20. As far as this case is concerned, the reasons given by the 2nd respondent that the applicant even though put under Low Medical Category,

could perform his duty as per the consultation had by them with the medical experts was found as not sustainable. Similarly, the obligations owed by the applicant towards his widowed aged parent has been simply brushed aside by quoting the sickness of the mother, a disease of senility. The medical documents produced by the applicant were not seriously considered. The applicant did not complete his qualifying pensionable service on 16.11.2009, when he submitted the application for premature discharge on extreme compassionate ground. That shows his bonafide to get him released from the Navy in order to look after his personal obligations. The training given to the applicant is not a specialised one, but it is in the usual course for a sailor to operate a ship. The original period of engagement already ended on 31.7.2011 and the applicant is serving the extension period. In the said background, the 2nd respondent ought to have exercised their discretion to permit him to go on premature discharge on extreme compassionate ground. Therefore, we are of the considered view that the applicant should be considered for premature discharge on extreme compassionate ground by the respondents and to issue necessary orders within a period of 60 days. Accordingly, both the points are decided against the 2nd respondent and in favour of the applicant.

21. **Point No.3:** In view of our discussions held above, the impugned Orders dated 19.10.2011 and 17.1.2013, are liable to be set aside and the

applicant is found entitled to be discharge prematurely on extreme compassionate ground as requested by him. Accordingly, the respondents are directed to consider the prayer of the applicant for premature discharge on extreme compassionate ground and to issue necessary release order within a period of sixty days from this date.

22. In fine, the application is allowed with the aforesaid observations and directions. Time for compliance is sixty days from today. No order as to costs.

Sd/-
LT GEN (Retd) ANAND MOHAN VERMA
MEMBER (A)

Sd/-
JUSTICE V.PERIYA KARUPPIAH
MEMBER (J)

04.07.2013
(True Copy)

Member (J) – Index : Yes / No
Member (A) – Index : Yes / No

Internet : Yes / No
Internet : Yes / No

To,

1. The Secretary to Government,
Union of India,
Ministry of Defence,
New Delhi-110 011.
2. The Chief of Naval Staff,
Through Jt Director of Personnel (Sailors),
Naval Headquarter,
New Delhi 110011.
3. The Flag Officer Commanding-in-Chief,
Headquarters Eastern Naval Command,
Naval Base,
Visakhapatnam-530 014.
4. M/s. S. Sathiyamoorthy & S. Raghupathy,
Counsel for applicant.
5. Mr. B. Shanthakumar, SPC
Counsel for respondents.
6. The Commanding Officer,
(Liaison Officer for AFT),
INS Adayar, C/o. Navy Office,
Port Complex, Rajaji Salai,
Chennai-600 009.
7. Library, AFT, Chennai.

**HON'BLE MR.JUSTICE V. PERIYA KARUPPIAH
MEMBER (JUDICIAL)
AND
HON'BLE LT GEN (RETD) ANAND MOHAN VERMA
MEMBER (ADMINISTRATIVE)**

O.A.No.23 of 2013

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