

ARMED FORCES TRIBUNAL, REGIONAL BENCH, CHENNAI

O.A. No.150 of 2014

Thursday, the 6<sup>th</sup> day of August 2015

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

AND

THE HONOURABLE LT GEN K. SURENDRA NATH  
(MEMBER – ADMINISTRATIVE)

1. Mrs. Innasiammal, aged 71 years  
W/o Late Rajamanickam  
M/o Late R. Aboorvasamy  
JCO-N/Sub No.JC 308802X.

2. Miss Mary Pushpam  
aged 47 years  
D/o Late Rajamanickam  
Unmarried sister and dependent  
of Late R.Aboorvasamy  
JCO N/Sub No.JC 308802X

Both are residing at Old D.No.1/2A  
New D.No.222, Mela Street  
Melapalliyeri Village  
Kalimedu Post  
Thanjavur Taluk and District  
Tamilnadu.

... Applicants/Applicants

By Legal Practitioners:  
M/s. A.R. Magudavel & T.A.Jayaraj

vs.

1. Mrs. Lindamary, aged 28 years  
W/o Late R.Aboorvasamy

2. Minor Lesley Deepak  
aged 7 years  
S/o Late R.Aboorvasamy

*(Rep. by his mother, the  
1<sup>st</sup> respondent*

*as natural guardian*

*by order dt.9.2.2015*

*In M.A.No.394 of 2014*

*in O.A.No.150 of 2014)*

R.1 and R.2 are residing  
at 1<sup>st</sup> Street, Muthumeenakshi Nagar  
Srinivasapuram Post  
Thanjavur Taluk and District  
Tamilnadu, Pin-613 004.

3. Managing Director  
Army Group Insurance Fund  
Integrated HQ of MOD (Army)  
Adjutant General's Branch  
New Delhi-57.

4. The Principal Officer  
Office of the Principal Office  
C.D.A./Pensions  
Allahabad, State of Uttar Pradesh.

5. The Commandant  
Madras Engineering Group & Centre  
Bangalore-42.

6. The Commanding Officer  
No.13, Engineering Regiment, C/o 56 APO.

7. Union of India  
Rep. by Secretary  
Ministry of Defence  
South Block  
New Delhi-110 011.

8. The Chief of the Army Staff  
Integrated HQ of MoD (Army)  
Army Head Quarters  
New Delhi-110 011.

....Respondents/Respondents

By Mr. T.S.Selvaraj, For R.1 and R.2  
By Mr. K.Sannjay, for R.3  
Mr. V.Kadhirvelu, CGSC, For R.4 to 8.

**ORDER**

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

1. Heard Mr. A.R.Magudavel, learned counsel for the applicants, Mr. T.S.Selvaraj, learned counsel for the respondents-1 & 2 and Mr.K.Sannjay, learned counsel appearing for respondent-3 as well as Mr.K. Ramanamoorthy, learned CGSC representing Mr. V.Kadhirvelu, learned CGSC assisted by Major Suchithra Chellappan appearing for respondents-4 to 8.

2. During the course of advancing arguments, the learned counsel for the applicants and the learned counsel for the respondents-1 and 2 have sorted out the disputes between the applicants and respondents-1 and 2 and have reached a compromise. They have also submitted a Joint Memo extracting the compromise concluded between the applicants-1 and 2 on one part and respondents-1 and 2 on the other part. We have also perused the said Joint Memo which runs as follows:

**" JOINT MEMO FILED BY THE COUNSEL FOR APPLICANTS AND  
COUNSEL FOR RESPONDENTS-1 AND 2**

*It is submitted that on amicable solution arrived between the applicants and the respondents-1 and 2, the applicants*

*consented to receive 33% share of Army Group Insurance Fund deposited in Syndicate Bank, AGI Bhavan, New Delhi as per Cheque No.260442, dated 3.12.2010 along with accrued interest and on which willing to quit the other all claims, in favour of the 1<sup>st</sup> and 2<sup>nd</sup> respondents.”*

3. The learned counsel for the 3<sup>rd</sup> respondent is also present and the compromise has been arrived at and recorded in his presence. The respondents-4 to 8 have also expressed no serious objection for the parties entering into a compromise. Therefore, there is no need for us to go into the merits of the case and the application is thus ordered in terms of the compromise. Accordingly, the applicant has consented to receive proceeds of 33% share of Army Group Insurance Fund deposited by 3<sup>rd</sup> respondent in Syndicate Bank, AGI Bhavan, New Delhi through their cheque No.260442, dated 03.12.2010 with the accrued interest thereon and is willing to quit all their claims. The application is ordered accordingly.

4. The Joint Memo filed by both the counsel for the applicants and the respondents-1 and 2 shall form part of this order. No order as to costs.

Sd/  
LT GEN K. SURENDRA NATH  
MEMBER (ADMINISTRATIVE)

Sd/  
JUSTICE V.PERIYA KARUPPIAH  
MEMBER (JUDICIAL)

**06.08.2015**

**Member (J)** – Index : Yes/No

Internet : Yes/No

**Member (A)** – Index : Yes/No  
*TJS*

Internet : Yes/No

To:

1. Mrs. Lindamary, W/o Late R.Aboorvasamy
2. Minor Lesley Deepak, S/o Late R.Aboorvasamy  
Respondents-1 and 2 are  
residing at 1<sup>st</sup> Street, Muthumeenakshi Nagar  
Srinivasapuram Post  
Thanjavur Taluk and District  
Tamilnadu, Pin-613 004.
3. Managing Director  
Army Group Insurance Fund  
Integrated HQ of MOD (Army)  
Adjutant General's Branch, New Delhi-57.
4. The Principal Officer  
Office of the Principal Office  
C.D.A./Pensions  
Allahabad, State of Uttar Pradesh.
5. The Commandant  
Madras Engineering Group & Centre  
Bangalore-42.
6. The Commanding Officer  
No.13, Engineering Regiment, C/o 56 APO.
7. The Secretary, Ministry of Defence  
South Block, New Delhi-110 011.
8. The Chief of the Army Staff  
Integrated HQ of MoD (Army)  
Army Head Quarters, New Delhi-110 011.
9. M/s. A.R. Magudavel & T.A.Jayaraj  
Counsel for applicants.
10. Mr. T.S. Selvaraj, Counsel for respondents-1 and 2.
11. Mr. K.Sannjay, For respondent-3
12. Mr. V.Kadhirvelu, CGSC, For respondents-4 to 8.
13. OIC, Legal Cell, ATNK & K Area, Chennai.
14. Library, AFT, Chennai.

HON'BLE MR.JUSTICE V. PERIYA KARUPPIAH  
MEMBER (JUDICIAL)  
AND  
HON'BLE LT GEN K. SURENDRA NATH  
MEMBER (ADMINISTRATIVE)

O.A. No.150 of 2014

Dt: 06.08.2015