

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.05.2015

Coram

The Hon'ble Mr. JUSTICE S.MANIKUMAR

W.P.No.13997 of 2015

and

M.P.Nos.1 and 2 of 2015

Airports Authority Employees' Union
rep. By its Joint General Secretary
G.N.Venkatraman

... Petitioner

Vs.

1.Union of India rep. By its
Secretary,
Department of Civil Aviation,
Rajiv Gandhi Bhavan,
Near Safdarjung Airport,
New Delhi - 110 003.

2.Airports Authority of India
rep. By its Chairman,
Rajiv Gandhi Bhavan,
Safdarjung Airport,
New Delhi - 110 003.

3.Executive Director,
Key Infrastructure Development,
Airport Authority of India,
Delhi.

... Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of certiorarified mandamus calling for the records of the respondents in connection with Clause:1.2.10 in the RFQ bearing Ref.No.AAI/KID/RFQ/CH/2014 dated 30.12.2014 and quash the same and further direct the respondents to protect the service conditions of employees of the Chennai Airport both International and National in accordance with Section 18(2) of the Airports Authority of India Act.

For Petitioner .. Mr.V.Prakash, Sr. Counsel
for Mr.K.Sudalaikannu

For Respondents... Mr.K.Raju, CGSC

ORDER

Airports Authority Employees Union represented by its Joint General Secretary has sought for a writ of certiorarified mandamus calling for the records of the respondents in connection with Clause:1.2.10 in the RFQ bearing Ref.No.AAI/KID/RFQ/CH/2014 dated 30.12.2014 and quash the same and further direct the respondents to protect the service conditions of employees of the Chennai Airport both International and National in accordance with Section 18(2) of the Airports Authority of India Act.

2.Material on record discloses that earlier, challenging RFQ dated 25.10.2013, the very same petitioner has filed W.P.No.2369 of 2014. Thereafter, the same has been dismissed on 07.11.2014. Writ appeal in W.A.No.298 of 2015 has been filed, and it is stated to be pending. Subsequently, Union of India has cancelled RFQ by proceedings dated 23.11.2014 and issued a fresh RFQ dated 30.12.2014. Though M.P.No.2 of 2015 in W.A.No.298 of 2015 seeking for an amendment to the relief in W.P.No.2369 of 2014 was sought for, the same has been withdrawn with liberty to question the new RFQ dated 30.12.2014. Airports Authority Employees Union has filed W.P.No.10486 of 2015 challenging RFQ dated 30.12.2014 and it is stated to be pending. While that be the position, the very same petitioner has filed the present writ petition in W.P.No.13997 of 2015 challenging Clause:1.2.10 in RFQ dated 30.12.2014.

3.When the entire RFQ has been challenged in W.P.No.10486 of 2015, the present writ petition is superfluous. Though Mr.V.Prakash, learned senior counsel appearing for the petitioner requested this Court to tag this matter along with other writ petition, request cannot be accepted, for the reasons stated supra. When the entire RFQ dated 30.12.2014 has been challenged in W.P.No.10486 of 2015, fresh writ petition, challenging a clause alone is not maintainable. If that is permitted, then for every clause, writ petitions one after another, can be filed, which is impermissible. Hence this writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

ars/mmi

To

1.The Secretary,
Union of India,
Department of Civil Aviation,
Rajiv Gandhi Bhavan,
Near Safdarjung Airport,
New Delhi - 110 003.

2.The Chairman,
Airports Authority of India,
Rajiv Gandhi Bhavan,
Safdarjung Airport,
New Delhi - 110 003.

3.The Executive Director,
Key Infrastructure Development,
Airport Authority of India, Delhi.

+ 1 cc to Mr.K. Raju, Advocate SR.25011
+ 1 cc to Mr.K.Sudalaikannu, Advocate SR.24993

KJI (CO)
EU 07.05.2015

W.P.No.13997 of 2015



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