

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2017

CORAM

THE HONOURABLE MR. JUSTICE R. SURESH KUMAR

W.P.No.101 of 2000

1.Sathyamoorthy
2.M.Selvam
3.I.Saranya
4.P.Jayakumar
5.R.Radhakrishnan
6.K.Samuel
7.V.Ramesh
8.P.Mothish

...Petitioners

Vs.

1.The Management of Air India Limited
by Chairman/Managing Director,
15, Baracamba Road,
New Delhi.

2.The Regional Manager Air India Limited,
Marshalls Road,
Egmore,
Chennai.

3.The Deputy Manager (Airport)
Air India Limited,
Anna International Airport,
Meenambakkam,
Chennai-27.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the respondents to redo the physical efficiency test for the petitioner and if found him eligible, directing the respondents to conduct further oral test for the petitioner for appointment of Station Fire Officer in the Tamil Nadu Fire Sub-ordinate services.

For Petitioners : Mr.Sudalaikannan
for M/s.V.Prakash

For Respondents : Mr.Gaurav Natarajan
for M/s.S.Rama Subramanian

ORDER

This Writ Petition was listed for hearing on 13.12.2017 under the caption "Entire bundle not available cases". On that day, after hearing the learned counsel appearing for the parties, this Court has passed the following orders:

"This writ petition has been listed today under the caption "Entire bundle not available cases".

Today, Mr.K.Sudalaikannan, learned representing counsel for the petitioners appeared and submitted that, the issue raised in the writ petition has already been concluded as the matter has gone up to Supreme Court in connected writ petitions. Pursuant to the direction of the Hon'ble Supreme Court, a scheme was framed by the respondent-Air India. However, not satisfying with the said action on the part of the Air India, further litigation had already been filed, which are pending before this Court. Therefore, nothing survives in respect of the prayer sought for in this writ petition.

However, Mr.Gaurav Natarajan, learned representing counsel for the respondents would submit that this writ petition, according to their instructions, had already been disposed of by this Court long back, however there is no record to that effect. Therefore, the learned counsel wants some more days to verify the said fact as to whether the writ petition has already been disposed or not. Hence, he seeks short accommodation.

4.Post the matter on 19.12.2017 under the caption "EB not available cases"

2.Pursuant to the said order, when the case is posted today under the same caption, Mr.K.Sudalaikannan, learned Senior Counsel appearing for the petitioners submitted that as has been already submitted by the learned counsel appearing for the petitioners before this Court, the issue raised in the Writ Petition has already been concluded, as the matter has gone up to the Hon'ble Supreme Court. Pursuant to the order passed by the Hon'ble Supreme Court, a Scheme was also framed by the respondent/Air India. The learned counsel would further submit that though the Scheme was framed by the respondent/Air India, aggrieved by the said Scheme and not satisfied with the said scheme, some cases were filed before this Court and ultimately, the matter has gone up to the Hon'ble Supreme Court where the matters are still pending.

3.In view of the said developments, though nothing survives for adjudication as far as the prayer sought for in this writ petition is concerned, the petitioners before this

Court would submit that if any grievance in future, pursuant to the said Scheme framed, which is the subject matter before the Hon'ble Supreme Court and in that case, if need arises in future, there would be a chance of agitating the issue and may not be precluded.

4.Considering the submissions made by the learned counsel appearing for the petitioners, as the issue raised in this Writ Petition is, as of now, has no relevance, no further adjudication is required. Since the issue, as stated, is pending before the Hon'ble Supreme Court, I am inclined to dispose of this Writ Petition, as no further adjudication is required. However, it is observed that in future, if any grievance arises for the petitioners herein, pursuant to the said Scheme framed by the respondents, the same can be agitated in the manner known to law by the petitioners.

With these observation, this Writ Petition is disposed of. Registry is directed to keep the orders of this Court dated 13.12.2017 and this order for record purpose since the case bundle has not been reconstructed so far. No costs.

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

mps

To

1.The Chairman/Managing Director,
Management of Air India Limited,
15, Baracamba Road,
New Delhi.

2.The Regional Manager Air India Limited,
Marshalls Road,
Egmore,
Chennai.

3.The Deputy Manager (Airport) Air India Limited,
Anna International Airport,
Meenambakkam,
Chennai-27.

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RSY(CO)
EU(31/01/2018)

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