

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Monday, the Fifteenth day of July Two Thousand Nineteen

PRESENT

THE HON`BLE MR JUSTICE R.SUBBIAH

and

THE HON`BLE MR.JUSTICE C.SARAVANAN

WMP.Nos.11575 & 11576 of 2019

in WP.Nos.34327 & 34329 of 2018

AIR CORPORATION EMPLOYEES [PETITIONER IN BOTH THE
UNION, REP. BY ITS REGIONAL PETITIONS]
SECRETARY, MR.C.UDAYASHANKAR,
AIR INDIA LTD, AIRLINES HOUSE,
MEENAMBAKKAM, CHENNAI-27.

Vs

1 L.THIRUNAVUKKARASU [1st RESPONDENT IN WMP.11575/19]

2 DEPUTY SUPERINTENDENT OF [2nd RESPONDENT IN BOTH THE
POLICE, SOCIAL JUSTICE AND PETITIONS]
HUMAN RIGHTS UNIT,
THIRUVALLUR-602 001

L.KIRUBAKARAN [1st RESPONDENT IN WMP.11576/19]

Petitions praying that in the circumstances stated therein and in the respective affidavits filed therewith the High Court will be pleased to

(i) Implead this petitioner as party in the above writ petition as just and necessary and further allow the petitioner to contest on merits to show the importance of this petitioner presence in the above writ petition (in WMP.No.11575/2019) and

(ii) Implead this petitioner as party in the above writ petition as just and necessary and further allow the petitioner to contest on merits to show the importance of this petitioner presence in the above writ petition (in WMP.No.11576/2019) respectively.

Order : These petitions coming on for orders upon perusing the petition and the respective affidavits filed in support thereof and upon hearing the arguments of M/S.M.FAKKIR MOHIDEEN, Advocate for the petitioner in both the petitions and of M/S.NIVADITA S.MENAN, Advocate for the 1st respondent in each the petitions and of M/S.V.SHANMUGASUNDARAM, Special Government Pleader on behalf of the 2nd respondents in both the petitions the court made the following order:-

(The order of the Court was made by R.Subbiah, J.)

The present writ miscellaneous petitions have been filed to implead the petitioner i.e., Air Corporation Employees Union represented by its Regional Secretary Mr.C.Udayashankar as a party in the writ petitions. The writ petitions have been filed by the petitioner herein to direct the respondent to forbear from proceedings with any investigation into the veracity of the Community Certificate issued to the petitioner without proper sanction of law and without providing the documents sought for by the petitioner in relation to his Community Certificate in 2018, aggrieved by the act of the respondent, namely, the Deputy Superintendent of Police, Social Justice and Human Rights Unit, Thiruvallur.

2.Since we are of the considered view that the prayer in writ petitions is a remedy "in personam" in nature, the Air Corporation Employees Union has nothing to do with the said issue in the writ petitions.

3.We are of the opinion that the said Air Corporation Employees Union is neither necessary nor proper party to adjudicate the issue involved in these writ petitions. Therefore, the writ miscellaneous petitions are not maintainable and the same is liable to be dismissed. Accordingly, the writ miscellaneous petitions are dismissed.

4.Post the main Writ Petitions for final disposal on 22.07.2019.

-sd/-

15/07/2019

/ TRUE COPY /

Sub Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE DEPUTY SUPERINTENDENT OF
POLICE, SOCIAL JUSTICE AND HUMAN RIGHTS UNIT,
THIRUVALLUR-602 001

C.C. to M/S.M.FAKKIR MOHIDEEN Advocate on payment of necessary
charges

C.C. to M/S.NIVADITA S.MENAN, Advocate on payment of necessary
charges

The Government Advocate, High Court, Madras - 104.

Order

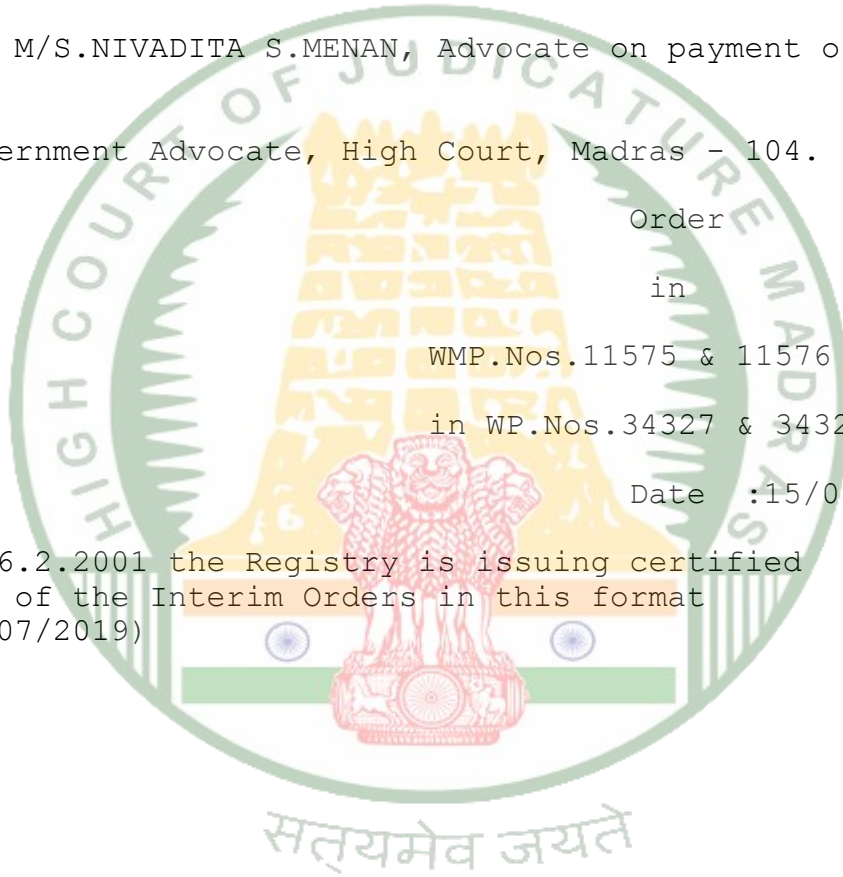
in

WMP.Nos.11575 & 11576 of 2019

in WP.Nos.34327 & 34329 of 2018

Date :15/07/2019

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
KP(23/07/2019)



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