

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2019

CORAM

THE HONOURABLE MR. JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR. JUSTICE P.D.AUDIKESAVALU

W.A. No. 1266 of 2017

D.Sounder Raj

... Appellant

Vs.

1.The Chairman and Managing
Director, Air India Ltd., Airlines House
113, Gurudwara Rakadganj Road
New Delhi - 110 001.

2.The Manager-GS
Ground Service Department
Air India Air Transport Services Ltd.
Air India Unity Complex
Pallavaram, Cantonment
Chennai - 600 043.

3.Mr.A.Murugaiyan

... Respondents

Appeal filed under Clause 15 Letters Patent, to set aside the order dated 15.11.2016 made in W.P. No. 4699 of 2016 and allow the present Writ Appeal.

Prayer in WP.No. 4699 of 2016: Petition filed under Article 226 of the Constitution of India praying a writ of certiorarified Mandamus Calling for the records pertaining to the order passed by the 2nd respondent in his proceedings GDS/ MAA/06-01/ PERS/732 dated 7.10.2015 and Charge Memo issued by the 2nd respondent in his proceedings GDS/ MAA/06-01/ PERS/809 dated 30.10.2015 and quash the same and direct the respondents to confer all the consequential benefits to the petitioner.

For Appellant : Mr.P.Ganesan

For Respondents : Mr.K.Srinivasamurthy [For R1 to R3]

J U D G M E N T

(Judgment of the Court was delivered by K.K.Sasidharan, J.)

The writ petition filed by the appellant was dismissed by the learned Single Judge holding that the Managing Director-GS, Ground Service Department, Air India Air Transport Services Limited, is competent to pass the impugned order of suspension. Similarly, it was held that he is competent to issue the charge memo against the appellant.

2.We are informed by the learned counsel for the appellant that during the currency of this appeal, the disciplinary authority completed the disciplinary proceedings and thereafter, the appellant was removed from service on 29.04.2017. The order removing him from service is now challenged in W.P. No. 14022 of 2017.

3.In view of the subsequent events indicated above, nothing survives for adjudication in the present appeal. It is open to the appellant to take up all issues including the legal issues raised in the present appeal before the writ court in the pending proceedings in W.P. No. 14022 of 2017.

4.The writ appeal is dismissed with the above observation.
No costs.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

Maya

To

1.The Chairman and Managing Director
Air India Ltd., Airlines House
113, Gurudwara Rakadganj Road
New Delhi - 110 001.

2.The Manager-GS
Ground Service Department
Air India Air Transport Services Ltd.
Air India Unity Complex
Pallavaram, Cantonment
Chennai - 600 043.

+1cc to Mr.C.S.Associates, Advocate, S.R.No.17953
+1cc to Mr.N.G.R.Prasad, Advocate, S.R.No. 18418

W.A. No. 1266 of 2017

NRL(CO)
GN(23/04/2019)