

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.02.2021

CORAM:

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.1694 of 2021
and W.M.P.No.1891 of 2021

Mrs.Vaishali Das

...Petitioner

Vs.

1. Union of India,
Ministry of Civil Aviation,
represented by the Secretary,
Rajiv Gandhi Bhavan, Safdarjung Air Port,
New Delhi.
2. The Chairman and Managing Director,
Air India Limited,
Rajiv Gandhi Bhavan, Safdarjung Air Port,
New Delhi.
3. The Executive Director - IFS (CS),
Air India Limited,
Airlines House,
113, Gurudwara Rakabganj Road,
New Delhi - 110 001.
4. The Regional Director - IFS,
Air India Limited,
Integrated Inflight Service Complex,
Meenambakkam, Chennai - 600 027.
5. The Deputy General Manager - IFS,
Air India Limited,
Integrated Inflight Service Complex,
Meenambakkam, Chennai - 600 027.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, to direct the respondents to consider the email representations made by the petitioner dated 08.12.2020 and 05.01.2021 and pass appropriate orders renewing the Fixed Term Engagement Contract of the petitioner as Cabin Crew in the Chennai Base of the Southern Region of the Air India Limited, with effect from 08.12.2020, in accordance with law, within a time frame as may be fixed by this Court.

For Petitioner	:	Mr.W.M.Abdul Majeed for Ms.G.Sumithra
For Respondents	:	Mr.Sidharth, CGSC for R1 Mr.N.G.R.Prasad for R2 to R5

O R D E R

This writ petition has been filed for a mandamus seeking for a direction to the respondents to consider the petitioner's representation dated 08.12.2020 and 05.01.2021 seeking for extension of her contract which expired on 08.12.2020.

2.The petitioner was employed as a Cabin Crew in Air India Limited on contract basis and she was awarded a contract which expired on 08.12.2020. She has given representations on 08.12.2020 and 05.01.2021 seeking for renewal of her contract for a further period. Since the representations have not been considered, she has filed this writ petition under Article 226 of the Constitution of India.

3.Heard Mr.W.M.Abdul Majeed, learned counsel for the petitioner, Mr.Sidharth, learned Central Government Standing Counsel for the first respondent and Mr.N.G.R.Prasad, learned counsel for the respondents 2 to 5.

4.On instructions, Mr.N.G.R.Prasad, learned counsel for the respondents 2 to 5 would submit that only due to Covid-19 lock down and due to non-flying of flights, the petitioner's representations have not been considered. He would also submit that as a matter of right, the petitioner cannot seek extension.

5.No prejudice will be caused to the respondents if the representations of the petitioner dated 08.12.2020 and 05.01.2021 seeking for renewal of her contract is considered on merits and in accordance with law.

6.For the foregoing reasons, without going into the merits of the matter, this Court directs the third respondent to consider the petitioner's representations dated 08.12.2020 and 05.01.2021 which was given to the fifth respondent and pass final orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

7.With the aforesaid direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

1. The Secretary,
Union of India,
Ministry of Civil Aviation,
Rajiv Gandhi Bhavan, Safdarjung Air Port,
New Delhi.
2. The Chairman and Managing Director,
Air India Limited,
Rajiv Gandhi Bhavan, Safdarjung Air Port,
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3. The Executive Director - IFS (CS),
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5. The Deputy General Manager - IFS,
Air India Limited,
Integrated Inflight Service Complex,
Meenambakkam, Chennai - 600 027.

+1cc to Mr.N.G.R.Prasad, Advocate, S.R.No.10506
+1cc to M/s..G.Sumitra, Advocate, S.R.No.10469, 10212
+1cc to Mr.R.Sidharth, Advocate, S.R.No.10760
+2cc to M/s.G.Sumitra, Advocate, SR.No.10469(09/03/2021)

सत्यमेव जयते

W.P.No.1694 of 2021

RSV(CO)
KKV/08/03/2021

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