



WEB COPY



W.P.No.14063 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.14063 of 2022
and WMP No.13304 of 2022

Capt.Ganesh Dhayanithi Babu

...Petitioner

Vs

- 1.Air India Ltd.,
Represented by Deputy Chief Officer (Hr),
1st Floor, Old Operations Building,
Air India Complex,
Old Airport, Santa Cruz (East),
Mumbai-400 029.
- 2.The Joint Director General,
Office of the Director General of Civil Aviation,
Civil Aviation Department,
Government of India,
Opposite to Safdarjung Airport,
New Delhi-110 003.
3. The Director General of Civil Aviation,
Office of the Director General of Civil Aviation,
Civil Aviation Department,
Government of India,
Opposite to Safdarjung Airport,
New Delhi-110 003.



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4. The Director General,
Aircraft Accidents Investigation Bureau (Aaib),
Rajiv Gandhi Bhawan,
Safdarjung Airport,
New Delhi-110 003

5. The Secretary to Government of India,
Ministry of Civil Aviation,
B-Block, Rajiv Gandhi Bhawan,
Safdarjung Airport,
New Delhi-110 003.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records of the first respondent relating to the impugned show cause notice dated 09.05.2022 in Ref.No.AIX/76087/918 and the impugned charge sheet dated 13.05.2022 in Ref No.AIX/76087/1087, quash the same and consequently direct the first respondent herein to reinstate the petitioner in service with all financial and all other attendant service benefits to which the petitioner is entitled to in the normal course and under law.

For Petitioner : Mr.S.Haja Mohideen Gisthi

For Respondents : Mr.Sathish Parasaran
Senior Counsel for
Mr.N.G.R.Prasad
for R.1
Mr.V.Ashok Kumar
CGC
For R.2 to R.5



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ORDER

In view of the decision of the Bombay High Court in the case of ***R.S.Madireddy and another vs Union of India and others*** reported in (2022) ***SCC Online Bom 2657*** and the catena of judgments of the Hon'ble Supreme Court, the writ petition filed against the first respondent, which is a public limited company is not maintainable. Hence, the writ petition is dismissed as not maintainable with liberty to the petitioner to work out his remedy in accordance with law. No costs. Consequently, connected miscellaneous petition is closed.

27.06.2023

Index:Yes/No

Speaking order/Non-speaking order

sr

To

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1st Floor, Old Operations Building,
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Old Airport, Santa Cruz (East),
Mumbai-400 029.



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M.S.RAMESH,J.,

sr

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Opposite to Safdarjung Airport,
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