



WEB COPY

W.P.No.10612 of 2021



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2026

CORAM:

THE HONOURABLE MR. JUSTICE T.VINOD KUMAR

W.P.No.10612 of 2021
and
W.M.P.No.11224 of 2021

Ms.Chellam Prasad

... Petitioner

vs

1. General Manager – Personnel (Offg)

Air India Limited,
Airlines House,
Theni Highway,
Opposite Honda Showroom,
Meenambakkam,
Chennai – 600 027.

2. The Executive Director (Commercial),

Air India, Airlines House,
113, Gurudwara Rakabganj Road,
New Delhi.

3. CMD,

Air India,
Airlines House,
113, Gurudwara Rakabganj Road,
New Delhi.

... Respondents



Prayer: Writ Petition is filed under Article 226 of Constitution of India, issue Writ of Cetrriorari, to call for the records of the first respondent in MAA/PERS/PF/041 dated 07.01.2021 and quash the same and pass orders.

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For Petitioner : Mr.P.Girish Ramanathan
for Mr.Srinath Sridevan

For Respondents : Mr.K.Srinivasamurthy
Senior Panel Counsel

ORDER

Heard the learned counsel for the petitioner and the learned Senior Panel Counsel on behalf of the respondents and perused the records.

2. This Writ Petition is filed to quash the impugned order passed by the first respondent in MAA/PERS/PF/041 dated 07.01.2021.

3. When the matter is taken up for hearing, it brought to the notice of this Court that the issue of maintainability of the writ petition against the respondent had taken for consideration of this Court and this Court having regard to the decision of the Hon'ble Apex Court in the case of ***R.S.Madireddy and others V. Union of India and others reported in 2024 SCC Online SC 965***, by order dated 16.09.2025, held that on account of change of status of the respondents from a public sector airline to private



sector airline, the respondents cannot be considered as 'State' within the meaning of Article 12 of the Constitution of India, in order to maintain the present Writ Petition.

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4. Since the status of the respondent had changed during the pendency of the present Writ Petition, no mandamus can be issued under Article 226 of Constitution of India.

5. Accordingly, this Writ Petition is liable to be dismissed. However, all the rights of the petitioner against the impugned proceedings are preserved and the petitioner is at liberty to initiate appropriate action as agitated in the present writ petition by approaching the appropriate forum.

6. In the event of the petitioner initiating action against the impugned proceedings by approaching the appropriate forum, and showing sufficient cause, the period spent in pursuing the present writ petition i.e., from the date of filing of the writ petition on 23.04.2021, till the date of receipt of the copy of this order shall stand excluded, in terms of Section 14 of the Limitation Act, 1963.



7. Accordingly, the writ petition is dismissed, subject to the liberty

noted herein above. No order as to costs. Consequently, connected

Miscellaneous petition is closed.

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08.01.2026

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

dh

To

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T. VINOD KUMAR, J.

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