

WEB COPY

WP No. 23429 and 23431 of 2



Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-10-2026

CORAM

THE HON'BLE MR.JUSTICE T. VINOD KUMAR

WP No. 23429 of 2015

CNR:{HCMA010271972015}

**AND WP NO. 23431 OF 2015
and M.P.Nos.1 and 2 of 2015**



Case QR

WP No. 23429 of 2015:

Capt.S.Dinakara
(Employment No.608106)
Dy.General Manager, Air India Ltd.,
No.91, Chamiers Road, Raja Annamalaipuram,
Chennai-28

..Petitioner

Vs

1.Union of India

rep. by its Secretary,
Ministry of Civil Aviation,
Rajiv Gandhi Bhavan,
SAFDARJUNG Airport,
New Delhi 110 003

2.Air India ltd.,

Airlines House,
Gurudwara Rakabganj Road, New Delhi
rep. by its Chairman & Managing Director

3.Executive Director (OPS)

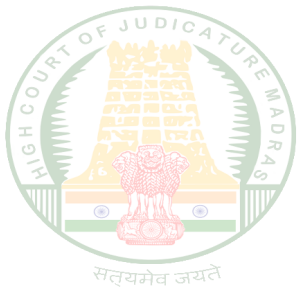
Airlines House, SAFDARJUNG Airport,
New Delhi 110 003

4.Executive Director

Air India Limited.,
Southern Region,
Meenamabakkam Airport, Chennai-27

5.General Manager (OPS)

Operations Department, Air India Ltd.,
Meenamabakkam Airport, Chennai-27



WEB COPY

WP No. 23431 of 2015

CNR:{HCMA010272102015}

S. Dinakara
(Employment No.608106)
S/o Srinivasa Chetty,
No.91, Chamiers Road,
Raja Annamalaipuram, Chennai-28



Case QR

WP No. 23429 and 23431 of 2



Order QR

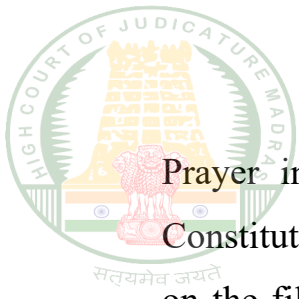
..Respondents

..Petitioner

Vs

1. Union of India
rep. by its Secretary,
Ministry of Civil Aviation,
Rajiv Gandhi Bhavan,
SAFDARJUNG Airport,
New Delhi 110 003
2. Air India ltd.,
Airlines House,
Gurudwara Rakabganj Road, New Delhi
rep. by its Chairman & Managing Director
3. Executive Director (OPS)
Airlines House, SAFDARJUNG Airport,
New Delhi 110 003
4. Executive Director
Air India Limited.,
Southern Region,
Meenamabakkam Airport, Chennai-27
5. General Manager (OPS)
Operations Department, Air India Ltd.,
Meenamabakkam Airport, Chennai-27

..Respondents



Prayer in W.P.No.23429 of 2015: Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Certiorari, to call for the records on the file of the 4th respondent in Ref. No.SR/ ED/DISC/OPS/ 608106/2563 dated 31.5.2013/1.7.2013 under the Caption DISCIPLINE and issue a writ of Certiorari and to quash the same in Ref.SR/ ED/DISC/OPS/ 608106/2563 dated 31.05.2013/01.07.2013 as illegal malafide, violation of the principles of natural justice, unjust and without jurisdiction as per rules and regulations prescribed under the Act.

Prayer in **WP No. 23431 of 2015:** Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus to direct the respondents and in particular to the 4th and 5th respondent to dispose of the petitioner's GRIEVANCE PETITION dated 22.05.2015 and direct the respondents to give suitable direction to make the payment of the sum of Rs.1,54,67,262/- and such other sum as due to the petitioner with interest till the payment is made within such time as the Honourable court may deem fit.

For Petitioners in both petitions: M/s.R.Meenakshisundaram

For Respondents in both petitions:

Mr.N.Sivabharathi For R1
CGC

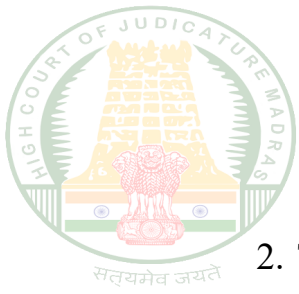
Mr.K.Srinivasamurthy For R4 and R5
SPC

No appearance for R2

R3- Tapal returned

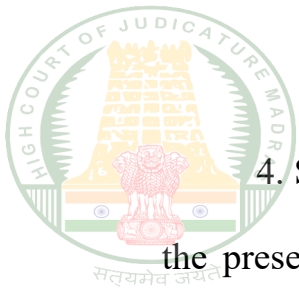
COMMON ORDER

Heard the learned counsel for the petitioners, learned Central Government Counsel for R1 and the learned Senior Panel Counsel on behalf of the respondents 4 and 5 and perused the records.



2. These Writ Petitions are filed to quash the impugned order passed by the 4th respondent in Ref.SR/ ED/DISC/OPS/ 608106/2563 dated 31.05.2013/01.07.2013 respondent in MAA/PERS/PF/041 dated 07.01.2021 and to direct the respondents and in particular to the 4th and 5th respondent to dispose of the petitioner's GRIEVANCE PETITION dated 22.05.2015 and direct the respondents to give suitable direction to make the payment of the sum of Rs.1,54,67,262/- and such other sum as due to the petitioner with interest till the payment is made

3. When the matters are taken up for hearing, it brought to the notice of this Court that the issue of maintainability of the writ petitions against the respondents was considered by 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.



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

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

6. In the event of the petitioners 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 petitions are dismissed, subject to the liberty noted herein above. No order as to costs. Consequently, connected Miscellaneous petitions are closed.

12-10-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

MSV
To
1. Secretary,
Union of India
Ministry of Civil Aviation,



Rajiv Gandhi Bhavan,
SAFDARJUNG Airport,
New Delhi 110 003

WP No. 23429 and 23431 of 2



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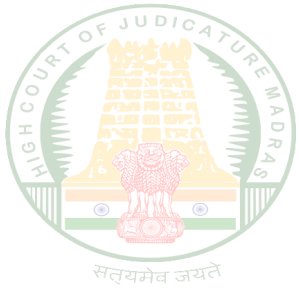
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Air India Ltd.,
Airlines House,
Gurudwara Rakabganj Road, New Delhi

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Airlines House, SAFDARJUNG Airport,
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T.VINOD KUMAR J.

MSV

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