



W.P.No.13102 of 2021
and WMP.No.13915 of 2021

WEB COPY

D.KRISHNAKUMAR, J.

After advancing arguments by the parties concerned, the learned counsel for the petitioner raised allegations of malafides as against the respondents and submitted that as of now, there is no enquiry or disciplinary proceedings pending against the petitioner and also placed reliance on Clause 11 of the Transfer Policy of the Airports Authority of India in A.60011/76/2008-PP (Pt.II)/68 dated 27.02.2018, which reads as under:

“11. Notwithstanding any of the conditions of the Transfer Policy, transfers on operational and administrative reasons shall be effected with the approval of the Chairman based on specific recommendations from Member (HR)/Member concerned.”

The learned counsel for the petitioner submitted that in view of the above Clause in the Transfer Policy, the third respondent has to obtain permission from the first respondent / Chairman, Airports Authority of India, before passing any transfer order.

2. However, Mr.K.K.Shivashanmugam, learned Standing Counsel appearing for the third respondent, in his individual capacity and also for the respondents 1 and 2 in official capacity, has submitted that since the transfer of the petitioner is on exigency purpose, no approval from the first respondent / Chairman - AAI is necessary.



WEB COPY

Jvm

3. To that extent, the first respondent is directed to file counter affidavit, in response to the aforesaid allegations made by the petitioner.

Post after two weeks.

09.02.2022

Jvm

W.P.No.13102 of 2021
and WMP.No.13915 of 2021