

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

Present:

**THE HONOURABLE MRS. JUSTICE ANU SIVARAMAN**

Wednesday, the 18th day of March 2020/28th Phalguna, 1941

WP(C) No.8649/2020(E)

**PETITIONERS**

1. **G.MAHADEVAN, AGED 44 YEARS  
S/O.M.GOPALAKRISHNAN, ASSISTANT GENERAL MANAGER(ATM),  
AIRPORT AUTHORITY OF INDIA, COCHIN INTERNATIONAL AIRPORT,  
RESIDING AT 'GOKULAM', FRIENDS AVENUE, V.V. ROAD,  
PALATHURUTHU, KOCHI-682019.**
2. **RAJESH.R, AGED 42 YEARS  
S/O.P.W.RAVI, SENIOR MANAGER(CNS), AIRPORT AUTHORITY OF INDIA,  
COCHIN INTERNATIONAL AIRPORT, RESIDING AT 'RITHU', SANTHI  
NAGAR, CHAKKARAPARAMBU ROAD, VENNALA, KOCHI-682028.**

**RESPONDENTS**

1. **UNION OF INDIA  
REPRESENTED BY ITS SECRETARY TO GOVERNMENT, MINISTRY OF CIVIL  
AVIATION, RAJIV GANDHI BHAVAN, NEAR SAFDARJUNG AIRPORT,  
NEW DELHI-110003.**
2. **THE DIRECTOR GENERAL OF CIVIL AVIATION,  
OFFICE OF THE DIRECTOR GENERAL OF CIVIL AVIATION,  
TECHNICAL CENTRE, OPP.SAFDURJANG AIRPORAT, NEW DELHI-110003.**
3. **THE AIRPORTS AUTHORITY OF INDIA,  
REPRESENTED BY ITS CHAIRMAN, RAJIV GANDHI BHAVAN,  
NEAR SAFDARJUNG AIRPORT, NEW DELHI-110003.**
4. **THE AIRPORT DIRECTOR,  
AIRPORTS AUTHORITY OF INDIA, COCHIN INTERNATIONAL AIRPORT,  
AIRPORT RD, KOCHI 683111.**
5. **THE STATE OF KERALA,  
REPRESENTED BY ITS CHIEF SECRETARY, GOVERNMENT OF KERALA,  
SECRETARIAT, THIRUVANANTHAPURAM-695001.**
6. **THE PRINCIPAL SECRETARY,  
HEALTH AND FAMILY WELFARE DEPARTMENT,  
GOVERNMENT OF KERALA, THIRUVANANTHAPURAM-695001.**

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Writ Petition (civil) praying inter alia that in the circumstances stated in the affidavit filed along with the WP(C) the High Court be pleased to stay the operation of Exts.P1,P1(a),P2 and P5 and all further proceedings pursuant thereto, to the extent it applies to the ~~Trivandrum~~<sup>Cochin</sup> International Airport, pending disposal of this Writ Petition.

This petition coming on for admission upon perusing the petition and the affidavit filed in support of WP(C) and upon hearing the arguments of M/S.LEO LUKOSE, SHRI.AMAL AMIR ALI, Advocates for the petitioner, ASSISTANT SOLICITOR GENERAL OF INDIA for the respondents 1 & 2, SRI.V.SANTHARAM, ADVOCATE, for the respondents 3 & 4 and of GOVERNMENT PLEADER for the respondents 5 & 6, the court passed the following:

O R D E R

Learned Assistant Solicitor General takes notice for respondents 1 and 2 and seeks time to get instructions.

Sri.V.Santharam takes notice for respondents 3 & 4. Learned Government Pleader takes notice for Respondents 5 & 6.

Post on 19.03.2020.

In the meanwhile, the breath analyser test as provided in Exts P1, P1(A), P2 and P5 will be suspended for the time being in the Airports in Kerala.

18-03-2020

Sd/- ANU SIVARAMAN, JUDGE

/true copy/

  
ASSISTANT REGISTRAR

pb/18.03.20.

M 18/3/20  
D  
G

p.t.o.

**WWW.LIVELAW.IN**

**Exhibit P1**: A true copy of the order dated 16.09.2019 Section 5 - Air Safety Series F, Part IV, numbered as F.No.DGCA.15032(02)/1/2019-DAS, issued by the 2<sup>nd</sup> Respondent.

**Exhibit P1(a)**: A true copy of the circular dated 30.09.2019, Air Safety Circular No. 04 of 2019, numbered as F.No.DGCA.15032(02)/1/2019-DAS, issued by the 2<sup>nd</sup> Respondent.

**Exhibit P2**: A true copy of the communication dated 29.10.2019, numbered as F.No.DGCA.15032(02)/1/2019-DAS, issued by the 2<sup>nd</sup> Respondent to the 3<sup>rd</sup> Respondent.

**Exhibit P5**: A true copy of the order dated 13.03.2020, numbered as DGCA-15031/4/2020-DAS issued by the 2<sup>nd</sup> Respondent.