

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.6.2020

CORAM

THE HON'BLE DR.JUSTICE VINEET KOTHARI
AND
THE HON'BLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.8224 of 2020

Dravida Munnetra Kazhagam (DMK)
Rep. by its Press Relation T.K.S. Elangovan,
'Anna Arivalayam' DMK Head Quarters,
No.367 & 369, Anna Salai,
Teynampet, Chennai -600 018

Petitioner

vs

1. Union of India
Rep. by its Secretary to Government,
Ministry of Home Affairs,
Government of India, New Delhi.
2. The Secretary to Government,
Ministry of External Affairs,
Government of India,
South Block, New Delhi.
3. Secretary to Government,
Ministry of Civil Aviation,
Government of India, New Delhi.
4. Government of Tamil Nadu,
Rep. by its Chief Secretary,
Secretariat, Fort St. George,
Chennai 600 009.
5. The State Disaster Management Authority
Secretariat, Fort St. George Chennai 600 009.

Respondents

Petition under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the 4th Respondent to accord necessary permissions/clearance for the landing of aircrafts to bring back the Indians stranded abroad to their respective native places within the State of Tamil Nadu by strictly adhering to the Order dated 5.5.2020 in Order No.40-3/2020-DM-I(A) issued by the 1st Respondent and to frame the Standard Operating Procedures for such persons in line with the guidelines issued by the 1st Respondent within a time frame to be fixed by this Court.

For Writ Petitioner : Mr.Richardson Wilson, Senior Counsel
for M/s.Wilson Associates

For Union of India : Mr.G.Rajagopalan,
Additional Solicitor General assisted by
Mr.Venkatasamy Babu, Standing Counsel

For the State of TN : Mr.S.R.Rajagopal,
Additional Advocate General &
Mr.V.Jayaprakash Narayanan, Govt.Pleader

ORDER

(Made by Dr.Vineet Kothari,J)

The present PIL Petition has been filed by Dravida Munnetra Kazhagam (DMK), a Political Party, in which a grievance has been raised that various Indians, who had visited abroad prior to Covid-19 Lockdown period for the purpose of Employment, Education or Tourism, got stranded because of the Lockdown and closure of usual Flights operating to India.

2. The Government of India has issued the **Standard Operating Procedures (SOP)** dated **26.5.2020** for providing Private Aircraft and Charter operations on international sectors.

3. However, the learned Senior Counsel appearing for the petitioner submitted that the **Vande Bharat Mission** initiated by the Union of India gives the details of the Flight operations by Air India only from limited number of countries, whereas such people in large number are stranded outside India like Singapore, Malaysia, UK, etc., and the State Government has not given due permission for landing of any such further Aircrafts from various international Airports at Chennai or other Airports of the State and that is causing a lot of problems to the stranded people particularly, who wanted to return to various parts of Tamil Nadu.

4. The matter would require consideration by this court and hence, **issue Notice** returnable in **one week**.

5. The learned Additional Solicitor General Mr.G.Rajagopalan, Mr.S.Rajagopal, learned Additional Advocate General and Mr.V.Jayaprakash Narayanan, Government Pleader are directed to accept notice.

6. Copies of the Petition with the annexures, in soft copy, may be supplied to all the learned counsels for the Respondents.

7. We direct that the Respondent-Union of India may file a Status Report with regard to

- (i) the number of Applicants, who have registered in various Embassies where they are stranded and want to return to

India;

(ii) the number of Flights of various Airlines operated so far for return to India/State of Tamil Nadu during the Covid-19 period and the details of Plans of the Union of India to provide more such Flights in near future for such stranded people, either under Vande Bharat Mission or otherwise.

(iii) the details of the relief in the form of any financial help, ticket costs, food, stay, etc., to be provided to such stranded people in various foreign countries because of the Covid-19 Lockdown and stoppage of Flight operations.

8. The State Government is also directed to give its Status Report and file Counter about the permissions required to be given for such international Flight operations to land within the State of Tamil Nadu and the number of such requisitions given by various Airline Companies or other Authorities in this regard and what is the stand of the State Government in issuing such permissions to the Airline Companies/Airport Authorities in this regard.

9. Both the Status Reports may be filed within one week from today as the matter is of urgent in nature.

List the matter on **19.6.2020**.

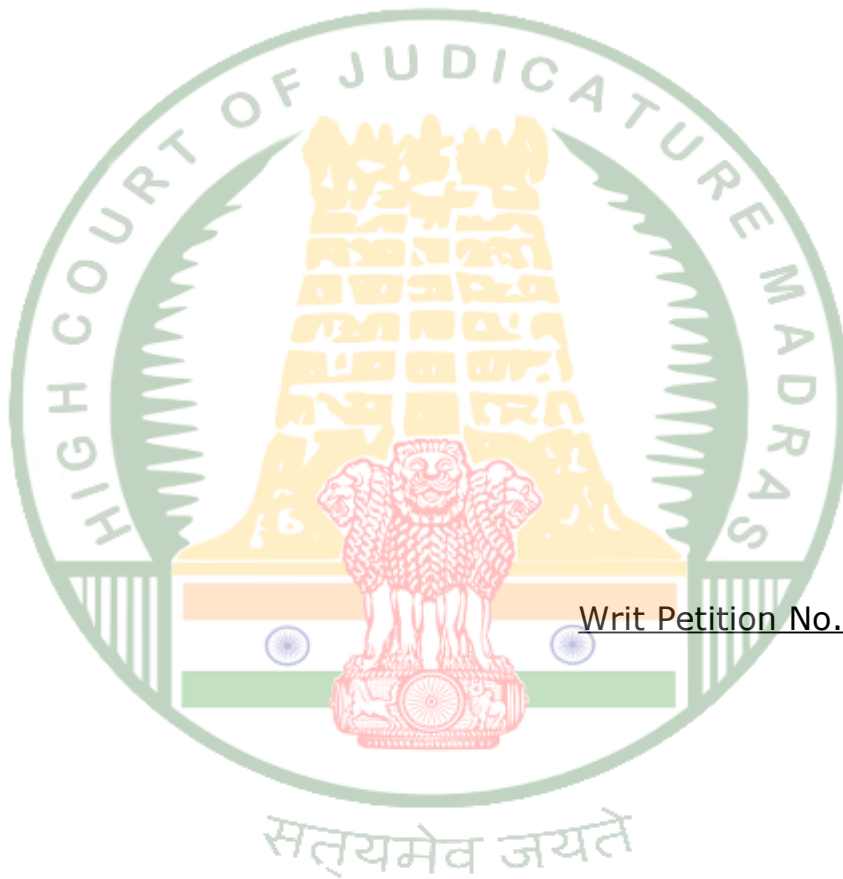
(V.K.J.) (R.S.K.J.)
12.6.2020

ssk.

Order dt.12.6.2020 in WP No.8224/2020
[Dravida Munnetra Kazhagam (DMK) v. UOI & 4 ors]
5/5

Dr.VINEET KOTHARI, J.
and
R.SURESH KUMAR, J.

ssk.



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