

**IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE THE CHIEF JUSTICE MR. SOUMEN SEN
&
THE HONOURABLE MR. JUSTICE SYAM KUMAR V.M.**

**Thursday, the 5th day of March 2026 / 14th Phalgun, 1947
WP(PIL) NO. 15 OF 2026(S)**

PETITIONER:

**C R NEELAKANDAN, AGED 68 YEARS, S/O CP RAMAN NAMBOODIRI, KKRA 48,
THANNAL, THRIKKAKKARA, ERNAKULAM DISTRICT, PIN - 682021**

RESPONDENTS:

- 1. UNION OF INDIA, THROUGH ITS SECRETARY, MINISTRY OF CIVIL AVIATION, GOVERNMENT OF INDIA, HAVING ITS ADDRESS AT BLOCK "B", RAJIV GANDHI BHAWAN, SAFDARJUNG AIRPORT AREA, NEW DELHI, PIN - 110003**
- 2. AIRPORTS AUTHORITY OF INDIA, THROUGH ITS CHAIRMAN, HAVING ITS OFFICE ADDRESS AT RAJIV GANDHI BHAWAN, OPPOSITE SAFDARJUNG AIRPORT, NEW DELHI, PIN - 110003**
- 3. MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY, GOVERNMENT OF INDIA, THROUGH ITS SECRETARY, HAVING ITS ADDRESS AT ELECTRONICS NIKETAN, 6, CGO COMPLEX, LODHI ROAD, NEW DELHI, PIN - 110001**
- 4. REGIONAL HEADQUARTER (SOUTHERN REGION), AIRPORTS AUTHORITY OF INDIA, THROUGH ITS REGIONAL EXECUTIVE DIRECTOR (SR), HAVING ITS ADDRESS AT ATS COMPLEX, CHENNAI AIRPORT, CHENNAI, PIN - 600027**
- 5. DIGI YATRA FOUNDATION, A NON-PROFIT COMPANY INCORPORATED UNDER THE COMPANIES ACT, 2013, HAVING ITS REGISTERED OFFICE AT ROOM NO.204, G5 BUILDING TERMINAL, DOMESTIC AIRPORT, NEW DELHI, PIN - 110037**
- 6. AIRPORTS AUTHORITY OF INDIA, THROUGH ITS AIRPORT DIRECTOR, CALICUT INTERNATIONAL AIRPORT, KARIPUR, KERALA, PIN - 673647**

Writ petition (public interest litigation) praying inter alia that in the circumstances stated in the affidavit filed along with the WP(PIL) the High Court be pleased to

(i) To issue appropriate interim directions to Respondents No.1, 2 and 3 to forthwith take immediate and appropriate measures to ensure that collection, storage, processing and transmission of sensitive personal data of passengers at airports across India is conducted in strict compliance with the provisions of the Digital Personal Data Protection Act, 2023 and the Digital Personal Data Protection Rules, 2025, pending disposal of the present Writ Petition;

P.T.O.

(ii) To issue appropriate interim directions to Respondent No.2 to forthwith restrain and prohibit all existing commercial licensees, concessionaires, service providers and intermediaries operating at airports from onward sharing, commercial exploitation or unauthorised disclosure of passengers' personal data to third parties, pending disposal of the present Writ Petition;

(iii) To issue appropriate interim directions to Respondent No.2 to forthwith stay all pending tender processes, requests for proposals and contractual arrangements involving engagement of private parties, concessionaires or service providers for purposes involving collection, storage or processing of passengers' personal data, until comprehensive data protection clauses in compliance with the Digital Personal Data Protection Act, 2023 and the Digital Personal Data Protection Rules, 2025 are incorporated in such tender documents and contractual arrangements, pending disposal of the present Writ Petition.

This petition coming on for admission upon perusing the petition and the affidavit filed in support of WP(PIL) and upon hearing the arguments of SRI.SANTHOSH MATHEW (SR.) along with SRI. JAYASANKAR R., Advocates for the petitioner, SMT. O. M. SHALINA, DEPUTY SOLICITOR GENERAL OF INDIA for the respondents and of SRI. ARJUN VENUGOPAL, CENTRAL GOVERNMENT COUNSEL & ADV. SRI.VENKATESAN KRISHNAMACHARRY, the court passed the following:

P.T.O.

Soumen Sen, C.J. & Syam Kumar V.M., J.

W.P.(PIL) No.15 of 2026

Dated this the 5th day of March, 2026

Appearance:

For the Petitioner : Mr.Santhosh Mathew (Sr.)
instructed by Mr.Jayasankar R.

For the Respondents : Mr.Arjun Venugopal, CGC
Mr.Venkatesan Krishnamacharry

ORDER

Soumen Sen, C.J.

Issue notice to the fifth respondent. In addition to service to be effected by speed post with acknowledgment due, notice may also be sent by e-mail.

2. We request the learned counsel appearing for respondent Nos.1 and 3 to ascertain whether a Board has been constituted under Section 18 of the Digital Personal Data Protection Act, 2023 by the adjourned date and in the event such Board has been constituted, the constitution of the said Board shall be disclosed by way of an affidavit on the adjourned date.

3. The matter stands adjourned to 19.03.2026.

W.P.(PIL) No.15 of 2026

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4. The learned counsel for the petitioner has prayed for leave to file a supplementary affidavit disclosing the instances where the confidentiality has been breached. The said affidavit may be filed within the aforesaid time upon prior service on the learned counsel appearing for the parties.



Sd/-
Soumen Sen
Chief Justice

Sd/-
Syam Kumar V.M.
Judge

ds 05.03.2026