

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 08.01.2016

CORAM

THE HONOURABLE MR.JUSTICE M.M. SUNDRESH

W.P.No.7809 of 2014
and
M.P.Nos 1 to 3 of 2014

M/s.P.K.Hospitality Services Pvt.Ltd
Garuda House, 142,
Upper Govind Nagar
Malad(East), Mumbai 400 097

... Petitioner

- Vs -

Airports Authority of India
Rep by the Airport Director
Chennai Airport,
Chennai 600 027

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of certiorarified mandamus, Calling for the records of the respondent relating to the impugned Letter dated 3.3.2014 bearing Ref. No.AAM/C.3193.2008/ 920 confirmed by the consequential Letter dated 7.3.2014 bearing Ref. No.AAM/C.3193/ 2006/1002 and quash the same as illegal and forbear the respondent, their men, agents and representatives from disturbing or impeding in any manner the peaceful use of the licensed premises being the area adjacent to International Departure entry point (under canopy area) at the Chennai International Airport for the Snack Bar Kiosk business of the petitioner during the license period of 5 years computed after excluding the period of 16 months during which the aforesaid Snack Bar Kiosk of the petitioner was not operational due to relocation activities initiated by the respondent.

For Petitioner : Mr.Kavianathan for
M/s.Nathan and Associates

For Respondent : Mr.P.R.Raman

ORDER

The petitioner is the licensee of the respondent with respect to a Kiosk. The period of license for five years starting from 16.03.2009 to 15.03.2014. It appears that the petitioner could not run the Kiosk, as according to it, the respondent has asked the petitioner to shift the Kiosk due to administrative reasons. Therefore, the petitioner has come forward with this Writ Petition, seeking extension for sixteen months. At the time of entertaining the Writ Petition, there was an interim order granted, which still continues.

2. Notwithstanding the maintainability of the Writ Petition questioning the issue pertaining to the license, the period itself is over including sixteen months sought for by the petitioner. Law is quite settled that there cannot be any interim order for a period beyond the relief sought for by the petitioner.

3. The learned counsel appearing for the petitioner submitted that taking into consideration the fact that there are number of employees engaged, further period of two months may be granted to handover vacant possession.

4. The said submission is objected by the learned counsel for the respondent.

5. Considering the facts and circumstances, while disposing of the Writ Petition, the petitioner is given further period of four weeks from the date of receipt of copy of this order to vacate and handover the vacant possession of the Kiosk to the respondent.

6. The writ petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

srn/mrp

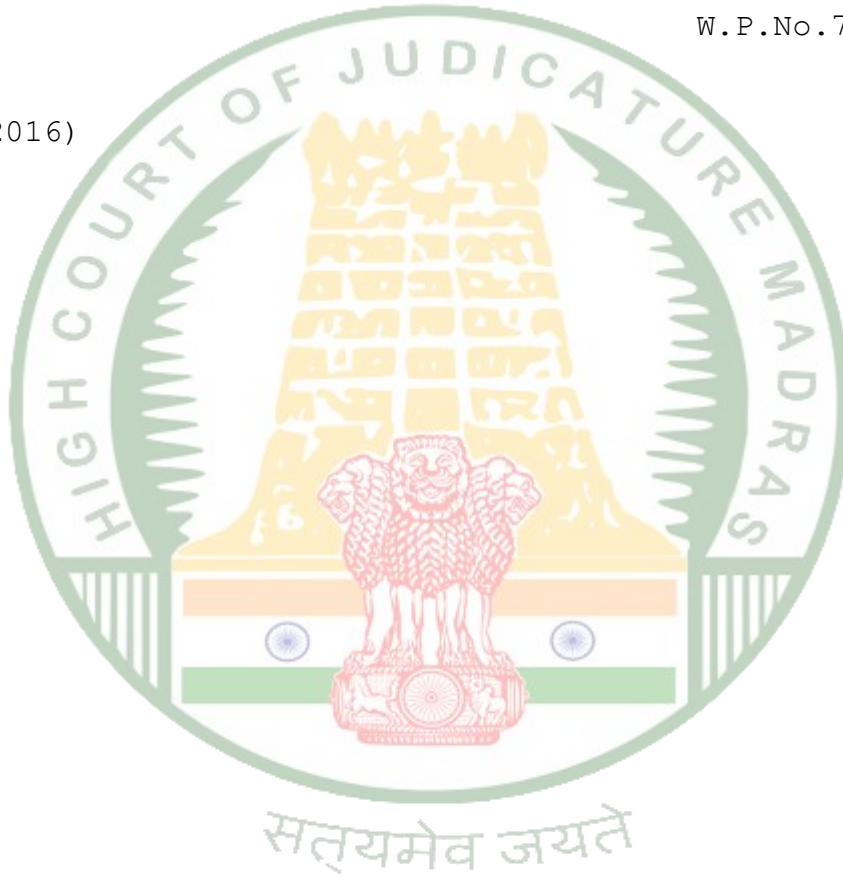
To

The Airport Director
Airports Authority of India
Chennai Airport,
Chennai 600 027

+1cc to M/s.Nathan and Associates, Advocate, S.R.No.1987
+1cc to Mr.P.R.Raman, Advocate, S.R.No.1942

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SV(CO)
CA(21/01/2016)



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