

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION NO. 45137 OF 2018

ORDER:

Heard Sri P.Ponna Rao, learned counsel for the petitioner and Sri E. Madan Mohan Rao, learned Standing Counsel for the Airports Authority of India.

2. According to the petitioner Union, it is a Trade Union registered under Indian Trade Unions Act, 1926 and its members have been serving the passengers of the 2nd respondent Airport for the last twenty years with utmost satisfaction of the authorities. The period of license, according to the petitioner Union came to an end on 6.11.2018. Thereafter, on the request made by the petitioner for extension of license period for operating pre-paid taxis at Tirupati Airport with effect from 7.11.2018, by proceedings dated 1.11.2018, the 2nd respondent granted extension of license period for three months i.e., from 7.11.2018 to 6.2.2018 or till award of new contract, whichever is earlier. It is also significant to note that the petitioner herein also gave an undertaking vide letter dated 16.11.2018 accepting the condition imposed in the said letter dated 1.11.2018. Now, by way of the present Writ Petition, the petitioner is seeking a direction to the 2nd respondent to extend the license period granted earlier by setting aside the tender

notification dated 17.11.2018 now issued by the respondents herein.

3. According to the learned counsel for the petitioner, the impugned action on the part of the respondent authorities is highly illegal, arbitrary and violative of Articles 14 and 21 of the Constitution of India. It is further submitted by the learned counsel for the petitioner that the respondent authorities cannot take away the livelihood of the members of the petitioner Union in an abrupt manner.

4. On the other hand, it is submitted by the learned Standing Counsel Sri E.Madan Mohan Rao that there is no vested right created in favour of the petitioner herein to ask for renewal/extension of the license period and admittedly, the license period came to an end on 6.11.2018. It is further submitted that in the absence of any complaint as to the violation of either Constitutional or statutory rights, the writ in the nature of Writ of Mandamus, cannot be issued under Article 226 of the Constitution of India.

5. Admittedly, the license period had expired on 6.11.2018. It is also not in dispute that on an application filed by the petitioner herein, the respondent authorities have granted extension of the license period from 7.11.2018 to 6.2.2019 or till award of new contract, whichever is earlier. It is also

significant to note that by way of letter dated 16.11.2018, the petitioner Union also expressed its acceptance for the condition imposed in the letter dated 1.11.2018. In the absence of violation of any provision of law, either Constitutional or statutory, and as the petitioner herein has no vested right to ask for extension of the license period, this Court does not find any merit in the present Writ Petition.

6. Accordingly, the Writ Petition is dismissed.

Pending miscellaneous petitions, if any, shall stand dismissed. No order as to costs.

A.V.SESHA SAI ,J

Date: 12.12.2018

KPM

