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WA.No.1465 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 30.04.2025**

CORAM

**THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM  
AND  
THE HONOURABLE MR. JUSTICE K.RAJASEKAR**

**WA.No.1465 of 2025**

**and**

**CMP.Nos.11168, 11169 & 11172 of 2025**

M/s.Hotel Kian,  
Represented by its Proprietor,  
Mr.Satvik Gothwal,  
having its registered office at  
L-317 & 316, Khasra No.724,  
Mahipalpur Extension,  
New Delhi - 110 037.

... Appellant

Vs.

1. The Chairman,  
Airports Authority of India,  
Rajiv Gandhi Bhawan,  
Safdarjung Airport,  
New Delhi - 110 001.
2. The Airport Director,  
Airports Authority of India,  
Chennai International Airport,  
Meenambakkam,  
Chennai - 600 027.

... Respondents

**Prayer:** Writ appeal filed under Clause 15 of the Letters Patent, to set aside the order dated 28.04.2025 passed in W.P.No.15006 of 2025.

For Appellant

: Mr.S.Prabhakaran



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Senior Counsel  
for Mr.Rajnish Pathiyil

For Respondents

: Mr.AR.L.Sundaresan  
Additional Solicitor General of India  
assisted by  
Mr.Rajkumar Jhabakh  
Ms.R.S.Pornima  
Mr.Digvijay Raj for R1 and R2

### **JUDGMENT**

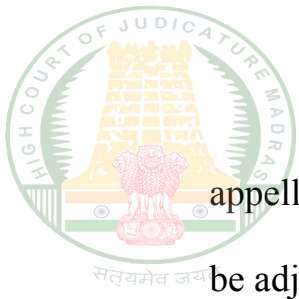
(Judgment of the Court was delivered by **S.M.SUBRAMANIAM, J.**)

Under assail is the order dated 28.04.2025 passed in W.P.No. 15006 of 2025.

2. The writ petitioner is the appellant before this Court.

3. The order of termination, terminating the license granted to the appellant who run Wellness Centre/Spa and Massage Chair Facility in domestic terminals (T1 & T4) at Chennai airport, Chennai came to be challenged in the writ petition before the learned single Judge.

4. The learned single Judge adjudicated the issues and relegated the

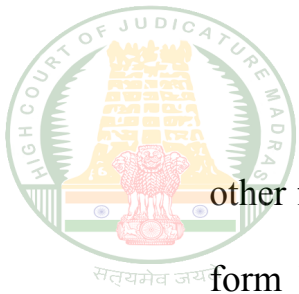


appellant to approach the civil Court of law, since the disputed issues cannot be adjudicated by the writ Court.

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5. Mr.S.Prabhakaran, the learned senior Counsel appearing on behalf of the appellant would mainly contend that the allegation of misleading and false representation and material representation are false and incorrect. The appellant is unconnected with the firm owned by his father namely SRPL and despite the fact that he has defended, the respondents have not acceded to his request to continue his business and thus, the present appeal is to be considered. The learned senior Counsel made an attempt to solicit the attention of this Court, with reference to various documents in order to prove that the appellant is unconnected with the firm belongs to his father. However, those documents require an elaborate adjudication with reference to the dispute.

6. Before the learned single Judge, Mr. AR.L. Sundaresan, the learned Additional Solicitor General of India, contended that the appellant is a key managerial person i.e., Chief Executive Officer in SRPL. To substantiate the said contention, the learned Additional Solicitor General said that SRPL namely M/s.Sapthagiri Restaurant Pvt Ltd, is a concern run by the father and



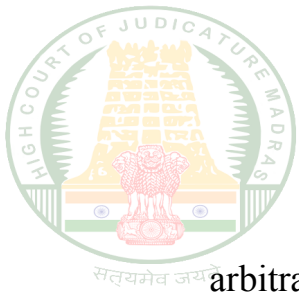
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other family members of the appellant, the said concern itself had submitted a form before the respondents and it is in said form of particulars that the appellant herein namely Mr. Satvik Gothwal, is mentioned as a key managerial person. Relying on the said particulars given by the father of the appellant, action was initiated by the respondents.

7. May that as it be, admittedly, an arbitration clause is made available under the agreement entered into between the appellant and the respondents. Disputed facts cannot be adjudicated by the writ Court under Article 226 of the Constitution of India. When certain relevant facts are seriously disputed between the parties merely based on xerox copies of the documents, the writ Court cannot form final opinion, which may cause prejudice to either of the parties and may result in miscarriage of justice. Such disputes require an elaborate adjudication with reference to the documents in original and evidences and a trial nature proceeding is imminent for the purpose of resolving the disputes.

8. The writ Court has rightly relegated the appellant to approach the competent civil Court to redress his grievances.



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9. The learned Additional Solicitor General would contend that an arbitration clause is agreed between the parties, the same may also be invoked. Thus it is for the appellant to take a decision and invoke arbitration clause agreed between the parties for the purpose of resolving the issues in the manner known to law.

With the above observations, the Writ Appeal stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

[S.M.S,J.] [K.R.S,J.]  
30.04.2025

veda  
Index:Yes/No  
Speaking order/Non-speaking order  
Neutral Citation:Yes/No



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**S.M.SUBRAMANIAM,J.**  
**AND**  
**K.RAJASEKAR,J.**

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To

1. The Chairman,  
Airports Authority of India,  
Rajiv Gandhi Bhawan,  
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New Delhi - 110 001.
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