



W.P.No.37493 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2025

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THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.37493 of 2024

and

W.M.P.No.40523 of 2024

M/s Saravanaa Foods,
represented by its Proprietor,
Mr. P. Muthu, having office at
LIG 315, Nolambur Phase II,
Mogappair West, Chennai – 600 037

... Petitioner

VS.

1.Airports Authority of India,
Chennai Airport,
rep. by Airport Director,
Chennai Airport, Chennai – 600 027

2.Deputy General Manager (HR),
AAI, Chennai Airport, Chennai – 600 027

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the Respondents to consider the representation dated 04.11.2024 submitted by the Writ Petitioner and to extend the Period License for another 3 years from the actual date of expiry of the existing license, with respect to implementation of the



W.P.No.37493 of 2024

'Concessionaire Support Scheme – due Covid 19' to the Writ Petitioner as well as other concessionaires who are similarly placed, at par with the writ Petitioner and to issue a Writ of Certiorari, calling for the records in the office of the Respondents and to quash the NIT, vide E-Bid No.:2024_AAI_213449_1 November 2024, floated by the Respondents inviting fresh tenders for operating the Staff Canteen Facility at Chennai Airport.

For Petitioner : M/s.I.Jayasingh Manoharan

For Respondents : Mr.Ramasamy Meyyappan
Standing Counsel

ORDER

The Writ Petition is filed seeking issue of Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 04.11.2024 seeking extension of license period by 3 years from the actual date of expiry of the existing license. The petitioner also sought for issue of Writ of Certiorari, calling for the records of the respondents with regard to the impugned tender notice in E-Bid No.:2024_AAI_213449_1 November 2024.



W.P.No.37493 of 2024

2. It is the case of the petitioner that the petitioner has been running a Staff Welfare Canteen in Chennai Airport from 03.09.2010. When the earlier contract expired in 2019, the 1st respondent invited tenders for awarding license to run the canteen for a period of five years. After scrutiny, the bid submitted by the petitioner was accepted and work order was issued to the petitioner on 30.01.2020 giving the license to operate the Staff Welfare Canteen at Chennai Airport for a period of five years. As per the agreement entered into with the respondents, the license for running canteen expires on 31.01.2025. During covid lock down period, the petitioner suffered loss and the petitioner could not generate expected income and hence, as per the scheme of the respondents in Concessionaire Support Scheme – due Covid 19, the petitioner submitted a representation before the 1st respondent dated 04.11.2024 seeking extension of license period for a period of 3 years from the date of expiry of license. It is also stated by the petitioner that in respect of the similarly placed licencees, the license period was extended by 3 years by taking into considering the loss suffered by them during covid lock down period. The 1st respondent without considering the representation submitted by the petitioner, issued impugned tender notice inviting tender for running canteen in Chennai Airport after expiry of



W.P.No.37493 of 2024

the present license period of the petitioner. Aggrieved by the same, the petitioner has come before this Court seeking necessary direction as mentioned above.

3. When the writ petition is taken up for hearing, the learned counsel appearing for the respondent submits that the representation submitted by the petitioner dated 04.11.2024 seeking extension of license period as per the Concessionaire Support Scheme – due Covid 19 was rejected by the Competent Authority in the Office of the 2nd respondent on 07.01.2025.

4. In view of the rejection of the petitioner's request for extension of license period, it is for the petitioner to challenge the said order in the manner known to law. Once the petitioner's request for extension of license period is rejected, the first limb of the prayer sought for in the writ petition has become infructuous. As far as second limb of the prayer sought for in the writ petition challenging the impugned tender notice is concerned, it cannot be entertained unless the petitioner challenge the order rejecting the representation of the petitioner.



W.P.No.37493 of 2024

5. Therefore, the writ petition is dismissed with liberty to the petitioner to challenge the rejection order dated 07.01.2025. No costs.

Consequently, the connected writ miscellaneous petition is closed.

20.01.2025

Index : Yes/No

Speaking order: Yes/No

Neutral Citation: Yes/No

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To

1. Airport Director,
Airports Authority of India,
Chennai Airport, Chennai – 600 027.

2. Deputy General Manager (HR),
AAI, Chennai Airport, Chennai – 600 027.



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W.P.No.37493 of 2024

S.SOUNTHAR, J.

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W.P.No.37493 of 2024

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