



WEB COPY

WP No. 3837 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-02-2026

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THE HON'BLE MS. JUSTICE P.T. ASHA

WP No. 3837 of 2026

S.Balasubramanian
S/o.Swaminathan
MIG2,9/1, TNHB Apartments
Anna Main Road, K.K.Nagar,
Chennai-78.

..Petitioner

Vs

1. Union of India
Rep. by its Secretary
Ministry of Railways
Railway Bhavan,
New Delhi-110 001.
2. The General Manager
Southern Railway
Chennai-600 003.
3. The Senior Divisional Commercial Manager
Southern Railway,
Chennai-600 003.

..Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Declaration declaring that Para 652 (a) and para 652(d) of the Indian Railway Commercial Manual Vol-I, introduced through commercial Circular No.60/2017 dated 17.08.2017, are arbitrary, unconstitutional, discriminatory and violative of Articles 14 and 21 of the Constitution of India, and further direct the respondents to withdraw, amend, or suitably modify the impugned provisions to ensure that senior citizens, sick



passengers, persons with disabilities, medically vulnerable individuals, and pregnant women are permitted to lie down on their reserved berths during daytime, and to frame a humane, medically reasonable and senior-citizen-friendly policy concerning use of reserved berths throughout the journey and pass orders.

For Petitioner:

Mr.T. Dharani

For Respondents:

Mr.K.Srinivasamurthy

Senior Panel Counsel for Central Government
R1 to R3

ORDER

The extent to which the extraordinary jurisdiction of this Court is misused is writ large in the case on hand. The petitioner herein has filed the writ petition for the following relief :

“ To issue a Writ of Declaration declaring that Para 652 (a) and para 652(d) of the Indian Railway Commercial Manual Vol-I, introduced through commercial Circular No.60/2017 dated 17.08.2017, are arbitrary, unconstitutional, discriminatory and violative of Articles 14 and 21 of the Constitution of India, and further direct the respondents to withdraw, amend, or suitably modify the impugned provisions to ensure that senior citizens, sick passengers, persons with disabilities, medically vulnerable individuals, and pregnant women are permitted to lie down on their reserved berths during daytime, and to frame a humane, medically reasonable and senior-citizen-friendly policy concerning use of reserved berths throughout the journey.”



2. The petitioner is aggrieved by the fact that the Railways have imposed time schedule for sleeping accommodation for the passengers, inasmuch as a correction has been brought about in Correction Slip No.25 to the Indian Railway Commercial Manual Vol.I, wherein paragraph No.652(a) would read *“Sleeping accommodation between 2200 hours and 0600 hours and sitting accommodation for the rest of the period is provided for the passengers in the reserved coaches having sleeping accommodation.”*

3. The petitioner would submit that such a restriction would impede the senior citizens as well as invalid passengers, pregnant ladies, persons with disabilities etc., as they have to adhere to the time schedule despite their discomforts.

4. A mere reading of Para 652(d) of the Indian Railway Commercial Manual Vol. I, would clearly indicate that the Railways have made the provisions as follows :

“Passengers are, however, requested to co-operate with sick, persons with disability and pregnant ladies in case they want to sleep beyond permissible time limits.”

5. Therefore, the needs of senior citizens as well as invalid passengers,



pregnant ladies, persons with disabilities etc., have been considered by the Railways. I see no reason to entertain this writ petition and accordingly, the writ petition is dismissed. No costs.

11-02-2026

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

DS

To:

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P.T.ASHA, J.

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