

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.20058 of 2016

And

W.M.P.No.17285 of 2016

Nabeesa Beevi

... Petitioner

Vs.

- 1 The General Manager
Southern Railway Head Quarters,
Park Town,
Chennai 3.
- 2 The Chief Commercial Manager,
Southern Railway Head Quarters,
Park Town,
Chennai 3.
- 3 The Senior Divisional Commercial Manager,
Southern Railway, Trichy Division,
Trichy. ... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 4.5.2016 and to renew the Petitioners License Catering and Bakery Stall S-20, S-22, Catering and TA Stall S-23, Villupuram Junction.

For Petitioner : Prof.M.Udaya Bhanu

For Respondents: Mr.P.T.Ram Kumar

Standing Counsel for Railways

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O R D E R

By consent, the writ petition is taken up for final disposal.

2.Prof.M.Udaya Bhanu, learned counsel has drawn the attention of this Court to the affidavit filed in support of this petition as well as to the typed set of documents and would state that the petitioner was granted licence to run a catering and bakery stall at Villupuram Junction in Platform Nos.4/5 and 6, for a period of five years between 15.06.2007 and 15.06.2012

and thereafter, it was periodically extended and it expired on 15.06.2016. The petitioner has submitted a representation dated 04.05.2016 to the third respondent for renewal of licence and though it was received and acknowledged, no orders have been passed and therefore, the petitioner is constrained to file this writ petition.

3.Per contra, Mr.P.T.Ram Kumar, learned Standing Counsel who accepts notice on behalf of the respondents would submit that the petitioner was initially granted licence for a period of five years between 15.06.2007 and 15.06.2012 and it expired on 15.06.2012 and thereafter, temporary accommodation was given to the petitioner, between 16.06.2012 and 15.06.2016 and the said period is also going to expire by tomorrow (15.06.2016) and the representation of the petitioner will be considered in the light of the new catering police, 2010 and also in the light of the decision of the Hon'ble Supreme Court reported in (2016) 3 Supreme Court Cases 582 (South Central Railways and others Vs. S.C.R.Caterers, Dry Fruits, Fruit Juice Stalls Welfare Association and another).

4.This Court has considered the rival submissions.

5.This Court taking into consideration the limited scope of the prayer sought for by the petitioner and without going into the merits of the same, directs the third respondent to consider and dispose of the petitioner's representation dated 04.05.2016, on merits and in accordance with law and pass orders, within a period of two weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner. The writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar(V)

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Sub Assistant Registrar

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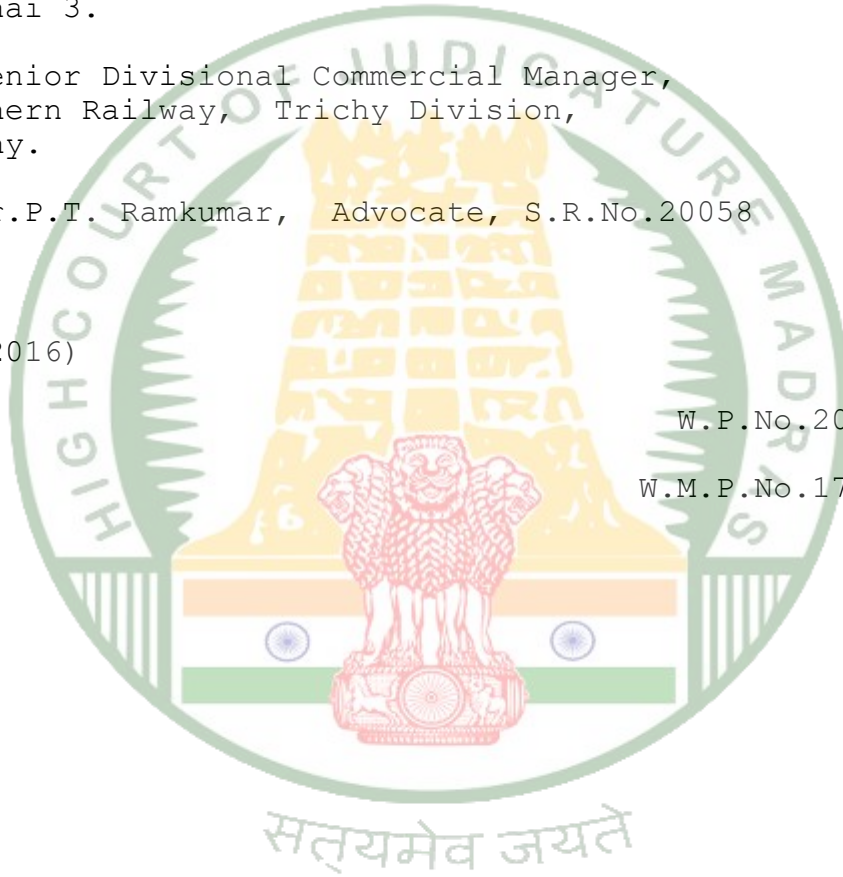
To

- 1 The General Manager
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Chennai 3.
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Park Town,
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- 3 The Senior Divisional Commercial Manager,
Southern Railway, Trichy Division,
Trichy.

+1cc to Mr.P.T. Ramkumar, Advocate, S.R.No.20058

SK(CO)
EU(16/06/2016)

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