

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.10.2016

CORAM:

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

W.P.No.36036/2016

C.Balaji Babu

Petitioner

Vs.

1.The General Manager
Southern Railway, Park Town
Chennai 600 003.

2.The Senior Divisional Commercial Manager
Commercial Branch, Southern Railway
Trichy Division, Tiruchirappalli,
Trichy District.

Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the 2nd respondent to dispose the petitioner's representation dated 15.09.2016 and thereby direct the respondent to renew the license to run Non-Vegetarian Tea Stall at Cuddalore Port Junction and restore the same in a original position with the same condition which has been kept lock and key by the 2nd respondent.

For Petitioner : Mr.P.S.Kothandaraman
For RR 1 & 2 : Mr.P.T.Ramkumar

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ORDER

Heard the learned counsel for the petitioner and Mr.P.T.Ramkumar, learned Standing Counsel accepting notice on behalf of the respondents and with the consent on either side, the writ petition is taken up for final disposal.

2 The petitioner would state that he has been awarded license by the 2nd respondent to run Non-Vegetarian tea stall at Cuddalore Port Junction, Villupuram, Thiruvavarur and Thanjavur Railway Stations. While so, the 2nd respondent vide letter dated 19.02.2016, informed the petitioner that as per the provisions of the Catering Policy 2010, he shall submit his willingness for renewal of the license for a period of five years from 01.07.2016 to 30.06.2021, on or before 20.03.2016 and accordingly, the petitioner, along with the necessary documents including the "No Due Certificate" from the Station Superintendent of Cuddalore Port Junction, submitted his application seeking for renewal of the license to the 2nd respondent on 14.03.2016. But, as on date, he is yet to be favoured with any kind of response and in the meanwhile, the RPF personnel attached to the Villupuram Junction, closed the petitioner's shop and the said shop is under lock and key and no notice was issued to the petitioner with regard to the said closure of the shop. Hence, the petitioner has approached this Court by filing the present writ petition.

3 Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner either in his representation or in the writ petition, directs the respondent to consider and dispose of the petitioner's representation dated 14.03.2016 on merits and in accordance with law and pass orders within a period of two months from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

4 The writ petition is disposed of with the above direction. No costs.

सत्यमेव जयते

-Sd/-

Assistant Registrar

// True Copy //

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Sub Assistant Registrar

To

1.The General Manager
Southern Railway, Park Town
Chennai 600 003.

2.The Senior Divisional Commercial Manager
Commercial Branch, Southern Railway
Trichy Division, Tiruchirappalli,
Trichy District.

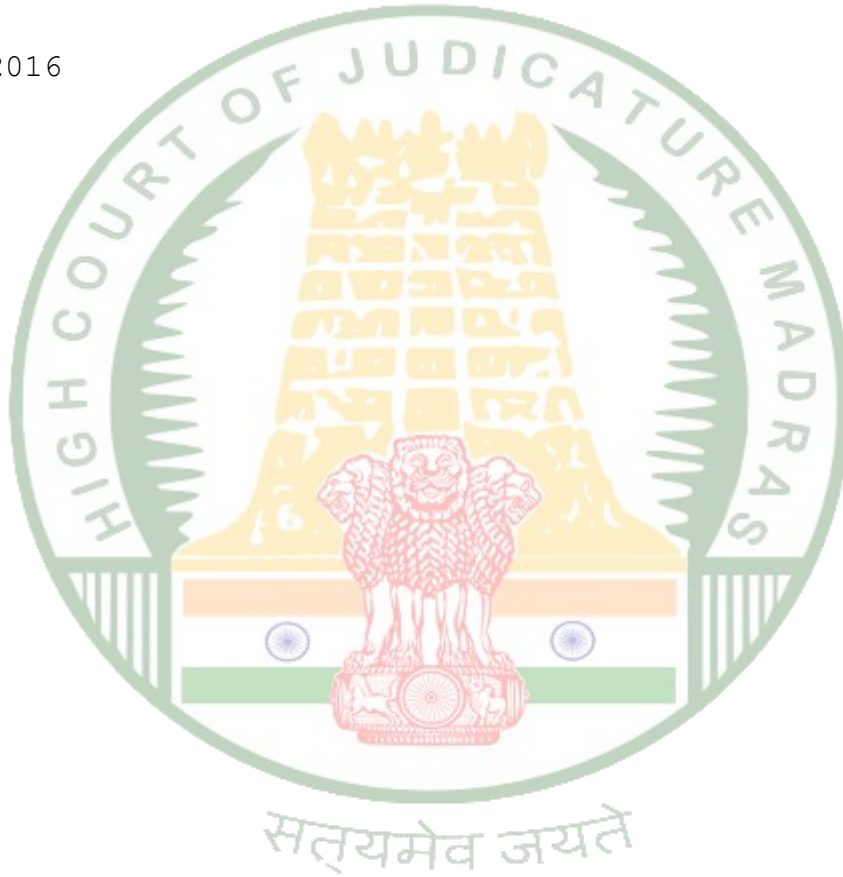
+ 1 cc to Mr.P.T.Ramkumar, Advocate Sr.No.58791

+ 1 cc to Mr.P.S.Kothandaraman, Advocate Sr.No.58760

WP.No.36036/2016

TRM(CO)

VS 16/11/2016



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