

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.02.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE M.M.SUNDRESH

W.P. No.6324 of 2016

A.R.Gokulakrishnan

.. Petitioner

-vs-

1.The Secretary,  
Ministry of Railways,  
Rail Bhavan, Rafi Marg,  
New Delhi.

2.Chairman Railway Board,  
Govt. of India, Ministry of Railways,  
Rail Bhavan, New Delhi.

3.The General Manager,  
Southern Railway,  
Park Town, Chennai.

4.The Chief Secretary,  
Govt. of Tamilnadu,  
Secretariat, Chennai.

5.The District Collector,  
District Collectorate,  
Dindigul.

6.The District Collector,  
district Collectorate,  
Theni.

7.The Chief Secretary,  
Govt. of Kerala,  
Secretariat, Thiruvananthapuram.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the respondents to act swiftly by considering the various earlier representations and the petition dated 09.12.2015 submitted by the petitioner.

For Petitioner : Mr.P.Raja

For Respondents : Mr.S.T.S.Murthi, Govt. Pleader,  
for Mr.V.Shanmugasundar, G.A.  
For RR 4 to 6  
: Mr.P.T.Ramkumar for R-3

\* \* \* \* \*

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

This is one more publicity interest litigation filed by the petitioner qua a subject matter over which both the Hon'ble Supreme Court and this Court have made our view very clear that no such petition would be maintainable.

2.The petitioner seeks railway facility in the form of Meter Gauge Railway line between Madurai and Bodinaickanur, as he claims that the work was commenced in the year 2011, but only 5 to 10% of the work has been done. These are matters completely within the administrative domain, as it is not the petitioner who is making funds available for construction of the railway line. As to where the line has to be built, how many trains would run, how many coaches would it have, are not aspects for which a public interest litigation can be maintained. Not only that, we find from page 27 of the typed set that on 11.02.2016, the Southern Railway had addressed to the District Collector, Dindigul, a communication stating that the survey had been completed and a report submitted to the Railway Board. Even an alternative alignment has also been studied via Rasingapuram, Kumuli, Pirmed, Perunkulam and Toduphza and the decision of the Railway Board is awaited. In such a situation, there is hardly any case to file a public interest litigation.

3.These unnecessary public interest litigations consume judicial time and it appears from the aforesaid that the insistence is on laying down the line only on a particular route. Frivolous Public Interest Litigation must now invite costs for wastage of time.

4.We, thus, dismiss this petition but with a small costs to caution against filing such petitions, being quantified at Rs.2,000/- (Rupees two thousand only) to be deposited with the Tamil Nadu Mediation and Conciliation Centre, Madras High Court Campus, within fifteen (15) days from today.

-s/d-  
Assistant Registrar

True Copy

Sub-Assistant Registrar

sra

To

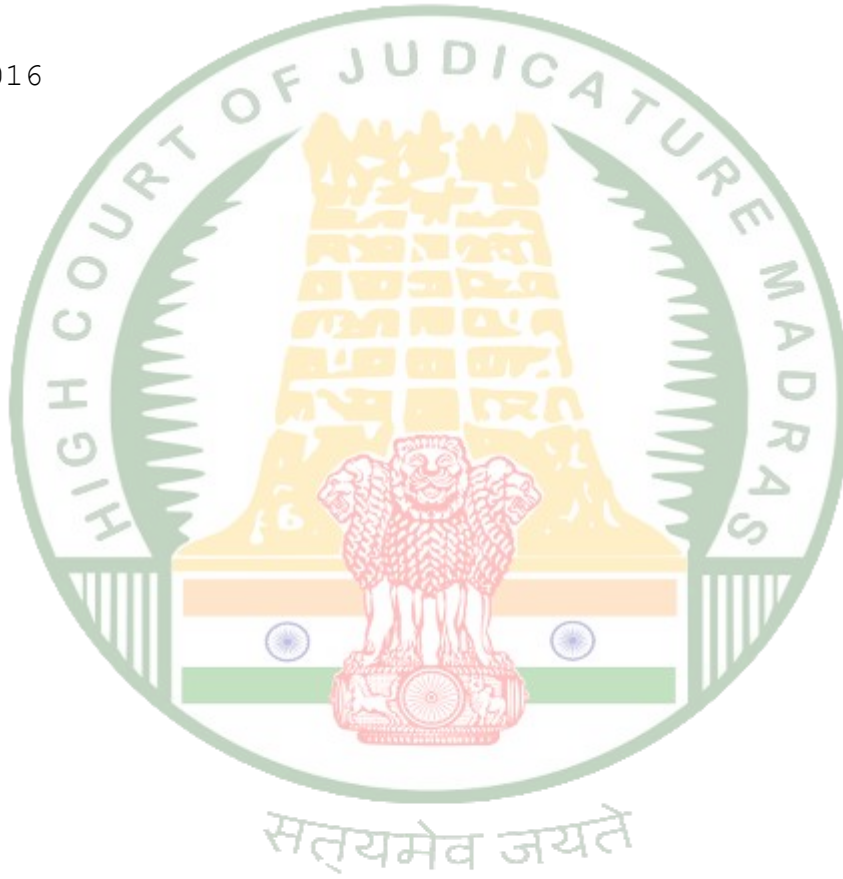
- 1.The Secretary,  
Ministry of Railways,  
Rail Bhavan, Rafi Marg,  
New Delhi-110 001
- 2.Chairman Railway Board,  
Govt. of India, Ministry of Railways,  
Rail Bhavan, New Delhi-110 001
- 3.The General Manager,  
Southern Railway,  
Park Town, Chennai-600 003
- 4.The Chief Secretary,  
Govt. of Tamilnadu,  
Secretariat, Chennai-600 009
- 5.The District Collector,  
District Collectorate,  
Dindigul-624 004
- 6.The District Collector,  
district Collectorate,  
Theni-625 531
- 7.The Chief Secretary,  
Govt. of Kerala,  
Secretariat, Thiruvananthapuram-695 001

8.The Assistant Registrar,  
Tamil Nadu Mediation and Conciliation Centre,  
Madras High Court Campus,  
Chennai.

+1 cc to Mr.P.Raja Vide sr.11188  
+1 cc to Government pleader vide sr.11050

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