

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.41545 of 2016

ORDER:

In this writ petition, the petitioner seeks a writ of mandamus declaring the action of the 3rd respondent in not considering the representation of the petitioner dated 29.09.2016 and 10.11.2016 as illegal and arbitrary and consequently, to direct the 3rd respondent to refund the security deposit amount of Rs.2,83,420/-.

As per the tender notification issued by the respondents dated 28.3.2016, the petitioner was awarded the contract for leasing of 4 tonnes open space in Train No.12707 AP Sampark Kranthi Express Kachiguda (KCG)-Nizamuddin (NZM) 03 days in a week for a period of three years from 01.07.2016 to 30.06.2019. According to the petitioner due to the harassment of parcel staff and unauthorised agents at Kachiguda station parcel office, he made a representation to the respondents 2 & 3 on 29.9.2016 to cancel the lease granted to him and to refund security deposit of Rs.2,83,420/-.

Heard and perused the material available on record.

As seen from the record it is evident that the 3rd respondent considered the representation of the petitioner and thereafter issued a show-cause notice terminating the contract entered with the petitioner. In that view of the matter, this Court is of the view that there is no need to pass any orders as prayed for by the petitioner. If the petitioner is aggrieved by the show-cause notice issued by the respondents, he is at liberty either to challenge the same by way of a writ petition or file a reply to the said show-cause notice issued by the 3rd respondent. If any such

reply is offered by the petitioner, the 3rd respondent is directed to consider the same and pass appropriate orders in accordance with law.

Accordingly, the writ petition is disposed of. No order as to costs.

Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO,J

30.11.2016.

Tsr



