

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.03.2017

CORAM

THE HON'BLE MR.JUSTICE B.RAJENDRAN

W.P. No. 7001 of 2017
and
W.M.P. No. 7619 of 2017

P.K. Amina

.. Petitioner

Versus

1. The General Manager
Southern Railway, Park Town
Chennai - 600 003
2. The Chief Commercial Manager
Catering & Passenger Amenities
Southern Railway
Chennai - 600 003
3. The Divisional Railway Manager
Salem Division, Southern Railway
Salem
4. The Divisional Commercial Manager (Coordination)
Southern Railway, Salem Division
Salem - 600 001

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to consider the petitioner's representation dated 04.02.2017 and 06.03.2017 submitted to all the respondents regarding renewal of the petitioner's licence with regard to the petitioner's catering Stall (SA/SMU/04) at Erode Junction Railway Station.

For Petitioner : Prof. M. Udaya Bhanu
For Respondents : Mr. P.T. Ramkumar

ORDER

The petitioner has come forward with this writ petition seeking for issuing appropriate direction to the respondents to consider her representations dated 04.02.2017 and 06.03.2017 submitted to all the respondents regarding renewal of the

licence with regard to the petitioner's catering Stall (SA/SMU/04) at Erode Junction Railway Station.

2. When the writ petition is taken up for hearing today, the learned standing counsel for the respondents, on instructions, brought to the notice of this Court that the representation dated 06.03.2017 submitted by the petitioner has already been considered and an order of rejection bearing Reference No.SA/C 79/Catg/SMU/04/ED dated 08.03.2017 was passed by the Senior Divisional Commercial Manager, Salem and the said order was also sent by registered post. It is further brought to the notice of this Court that the order dated 08.03.2017 was also received by the husband of the petitioner which is evident from the postal acknowledgment card received from the postal department. The counsel for the respondent also produced a copy of the order dated 08.03.2017 for perusal of this Court and a copy has been served on the counsel for the petitioner. It is also brought to the notice of this Court by the learned counsel for the respondents that the petitioner's husband is already running several stalls in the name of benami numbering 10 and therefore also, the claim of the petitioner for renewal of licence in her favour was not considered by the respondents.

3. In the light of the above submission of the counsel for the respondents that the representation dated 06.03.2017 was already considered and rejected on 08.03.2017, the relief sought for in this writ petition has become infructuous. Accordingly, the writ petition is dismissed as infructuous with liberty to challenge the order dated 08.03.2017. Consequently, connected miscellaneous petition is closed with liberty to challenge the order dated 08.03.2017.

-s/d-
Assistant Registrar

True Copy

सत्यमेव जयते
Sub-Assistant Registrar

To

1. The General Manager
Southern Railway, Park Town
Chennai - 600 003
2. The Chief Commercial Manager
Catering & Passenger Amenities
Southern Railway

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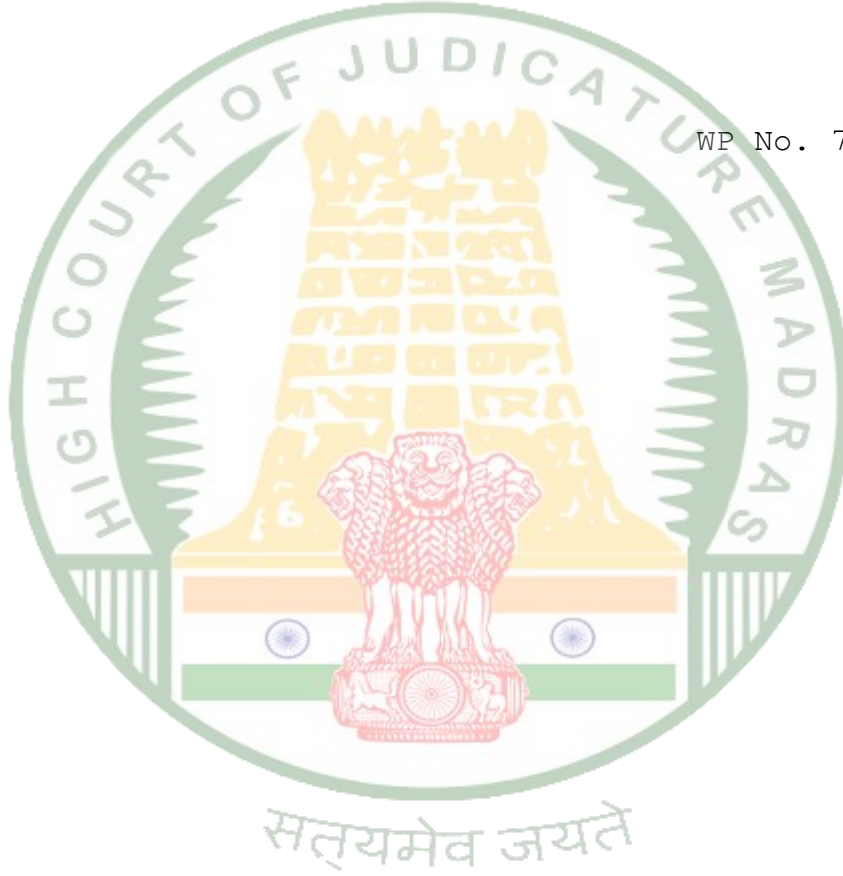
Chennai - 600 003

3. The Divisional Railway Manager
Salem Division, Southern Railway
Salem
4. The Divisional Commercial Manager (Coordination)
Southern Railway, Salem Division
Salem - 600 001

+1 CC to M. Udaya Bhanu , Advocate sr 17682
+1 CC to Mr. P.T. Ramkumar, Advocate sr 17910

VSN(CO)
sp/10/4

WP No. 7001 of 2017



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