

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.11.2017

CORAM

THE HONOURABLE MR.JUSTICE K. RAVICHANDRABAABU

W.P.No.27921 of 2017

and

WMP.No.29963 of 2017

Thanthai Periyar Sutrula Vadagai Car
Urimaiyalargal Otunargal Sangam
(Rail Nilayam)
Regd.No.44 of 2002
Rep. by its Vice-President
K.Sidhan
S/o.Kandasamy
No.4/97, Indira Gandhi Street,
Nadarmedu, Erode-2. ... Petitioner

vs.

1. The General Manager
Southern Railway, Park Town
Chennai.
2. The Divisional Manager
Southern Railway, Salem Division
Salem, Salem District.
3. The Divisional Commercial Manager
Southern Railway, Salem Division,
Salem, Salem District.
4. The Station Master
Erode Railway Station,
Erode, Erode District.

...Respondents

PRAYER:

Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent to consider and pass orders on merits by disposing the written representation made by the petitioner on 27.10.2017 within a stipulated time.

For Petitioner : Mr.C.Prakasam

For Respondents: Mr.P.T.Ramkumar
Standing Counsel

O R D E R

Mr.P.T.Ramkumar, learned Standing Counsel takes notice for the respondents. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. Heard both sides.

3. The petitioner seeks for a direction to the second respondent to consider and pass orders on the representation dated 27.10.2017, wherein and whereby an objection was raised for allowing the vehicles belonging to a firm called "RED TAXI" in the parking area of the Erode Railway Station.'

4. The grievance of the petitioner is that even though the licence is granted to him and other persons to park their respective Taxis, the Railway is going to permit the said "RED TAXI" also to be parked inside the parking area of the Railway station.

5. The learned Standing Counsel for the respondents, based on instructions, submitted that whoever is holding valid licence as on today to park their respective vehicles will not be disturbed till the expiry of the licence period. Therefore, he submitted that the petitioner cannot object the Railway from issuing the licence to the other persons or Corporate Sectors as well.

6. Needless to say that the petitioner cannot seek a relief as sought for in the present representation, as it would only lead to monopoly. Therefore, I do not find any justification to direct the respondents to consider the representation of the petitioner, more particularly, when the above undertaking given by the respondents through their counsel, which in my considered view, will protect the interest of the persons holding the licence during the licence period.

7. With the above observation, this writ petition is disposed of. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

To

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

2.The Divisional Manager
Southern Railway, Salem Division
Salem, Salem District.

3.The Divisional Commercial Manager
Southern Railway, Salem Division,
Salem, Salem District.

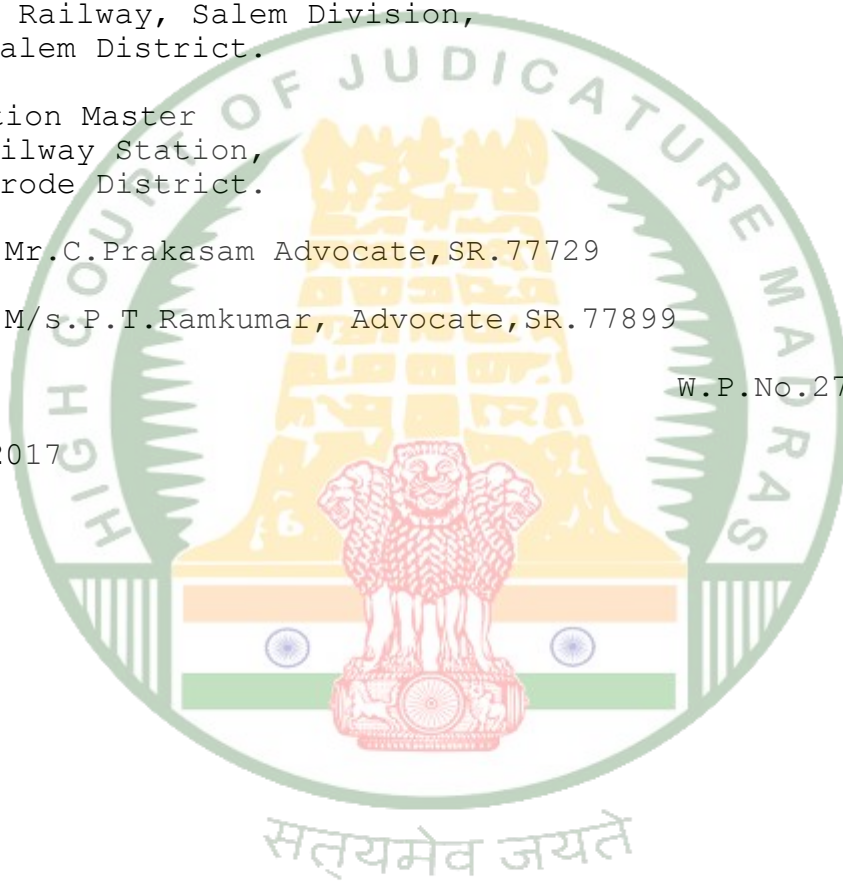
4.The Station Master
Erode Railway Station,
Erode, Erode District.

+ 1 cc to Mr.C.Prakasam Advocate,SR.77729

+ 1 cc to M/s.P.T.Ramkumar, Advocate,SR.77899

W.P.No.27921 of 2017

NR 20/11/2017



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