



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.08.2017

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No. 8634 of 2017

Arulmigu Meenakshi Sundareswarar
Baktha Saba,
Represented by,
The Secretary Mr.K.Sivayegnesh,
Ravanasamudram,
Tirunelveli District - 627 424.

.. Petitioner

Vs.

1.The Divisional Railway Manager,
Southern Railway, Madurai.

2.The Tahsildhar,
Ambasamudram Taluk,
Tirunelveli District.

3.Executive Officer,
Arulmigu Sokkalinga Swamy Temple,
Ravanasamudram,
Tirunelveli District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent to pass an order to keep open the level crossing numbers 69 and 70 on the Tirunelveli to Senkottai Railway line at Ravanasamudram Village during the festival occasions of Arulmigu Sokkalinga Swamy Temple also known as Meenakshi Sundareswarar Temple at Ravanasamudram Village, Ambasamuthiram Taluk, Tirunelveli District by considering the petitioner's representation dated 27.03.2017.

For petitioner	: Mr.M.Karthikeyavenkitachalapathy
For Respondent No.2	: Mr.M.Govindan Special Government Pleader
For Respondent No. 3	: Mr.S.Chellapandian

O R D E R

[Order of the Court was made by G.R.SWAMINATHAN, J.]

This Writ Petitioner seeks a direction for keeping level crossing Nos.69 and 70 on the Tirunelveli to Senkottai Railway line at Ravanasamudram Village open, during the festival occasions of Arulmigu Sockalinga Swamy Temple. He had given a representation on 27.03.2017 to the Railways Authorities. Since the said representation was not disposed of, the present writ petition has been filed.

2. This Court cannot grant the relief sought for in this Writ Petition. The closing of the railway gate level-crossing or opening of the same will depend on the movement of the trains. It has already been held that this Court cannot issue any Mandamus with regard to the Railway timings. Therefore, in the very nature of things, the relief sought for in this writ petition cannot be granted. The matter falls within the exclusive discretion of the Railways.

3. In the result, this Writ Petition stands dismissed. No Costs.

Sd/-

Assistant Registrar(CSIII)

/True Copy/

Sub-Assistant Registrar

To:

1.The Divisional Railway Manager,
Southern Railway, Madurai.

2.The Tahsildhar,
Ambasamudram Taluk,
Tirunelveli District.

3.The Executive Officer,
Arulmigu Sockalinga Swamy Temple,
Ravanasamudram, Tirunelveli District.

+One cc to The Special Government Pleader, SR.No.71486

+One c to Mr.M.Karthikeya Venkatachalapathy, Advocate, SR.No.71838
rmk/das

RL/6C/2P/SKN/RSK/SAR1/30/8/2017