

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.04.2018

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.22674 of 2006

N.Sundararaj

... Petitioner

Vs.

Union of India,
Rep. by Chairman, Railway Board,
Rail Bhavan
New Delhi 110 001.

The General Manager,
Southern Railway,
Chennai 600 003.

The Chief Commercial Manager,
Southern Railway,
Chennai 600 003.

The General Manager,
Central Railway, CST
Mumbai.

The Station Master,
South Central Railway,
Renigunta.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Declaration declaring the impugned portion of the provision of Section 124 A of the Railway Act 1989, in so far it restricts the payment of damages and compensation to such an extent as

prescribed under Rule 3 Schedule Part I of the Railway Accidents and Untoward (incidents) (compensation), Rules 1990 as Ultra vires of the Constitutional provisions and consequently direct the respondents to pay a sum of Rs.50,00,000/- for the loss of life of the deceased son of the petitioner in the accident that took place on 11.06.2005 in T.No.6010 Mumbai Mail that left Chennai on 10.06.2005 traveled under PNR No.4338253077 and Rs.204980/- for the loss of personal belongings. In all to pay a sum of Rs.5204980/- with interest and cost.

For Petitioner : Ms.Jayashree
For Respondents : Mr.V.G.Suresh Kumar
CGSC

ORDER

The learned counsel appearing for the petitioner seeks the permission of this Court to withdraw this writ petition and has also made an endorsement to that effect in the petition.

2.Recording the endorsement made by the learned counsel appearing for the petitioner, this writ petition is dismissed as withdrawn. No costs.

12.04.2018

pri

Speaking Order/ Non Speaking Order

Index: Yes/ No

Internet: Yes/ No

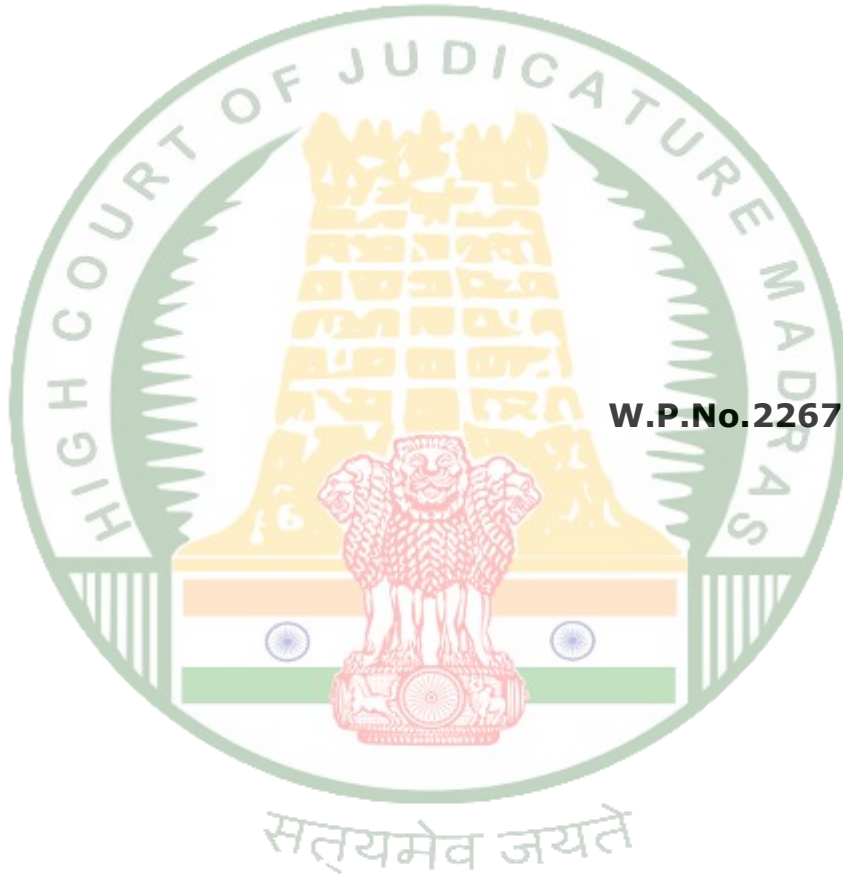
To

1. Union of India,
Rep. by Chairman, Railway Board,
Rail Bhavan
New Delhi 110 001.
2. The General Manager,
Southern Railway,
Chennai 600 003.
3. The Chief Commercial Manager,
Southern Railway,
Chennai 600 003.
4. The General Manager,
Central Railway, CST
Mumbai.
5. The Station Master,
South Central Railway,
Renigunta.



WEB COPY

M.DHANDAPANI,J.
pri



W.P.No.22674 of 2006

WEB COPY

12.04.2018