



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **04.04.2018**

CORAM:

THE HONOURABLE MR.JUSTICE **C.T.SELVAM**

AND

THE HONOURABLE MR.JUSTICE **A.M.BASHEER AHAMED**

W.P. [MD] .No.7198 of 2018

WEB COPY

Tamilselvi : Petitioner

Vs.

1. The District Collector,
Trichy District, Trichy.

2. The General Manager,
Southern Railway,
Chennai.

3. The Senior Divisional Manager,
Southern Railway, Salem Division,
Salem.

: Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, forbearing the respondents from abandoning the functioning of Meikudi Railway Station, Allur Village, Tiruchirappalli District, by confirming the third respondent's communication dated 09.10.2012 and also by considering the petitioner's representation dated 28.02.2018 within the period stipulated by this Court.

For petitioner : Mr.G.Sundaram
For respondent No.1 : Mr.M.Murugan
Government Advocate
For Respondent Nos.2&3 : Mr.S.Manohar
Standing Counsel

O R D E R

[Order of the Court was made by **C.T.SELVAM, J.**]

The petitioner, who is a resident of Mela Street, Allur Village, Tiruchirappalli District, seeks a Writ of Mandamus forbearing the respondents from abandoning the functioning of Meikudi Railway Station, Allur Village, Tiruchirappalli District, by confirming the third respondent's communication dated 09.10.2012.

2. The petitioner contends that Meikudi Railway Station at Allur Village, Tiruchirappalli District, has been functioning over several decades and the decision of the Railway Administration to close the said Railway Station will prejudice both the petitioner



as well as the other residents of his village and adjoining villages, population of which comes to about ten thousand.

3. The learned Standing Counsel appearing on behalf of the respondents 2 and 3/Railway Administration brings to the notice of this Court the order passed by a Division Bench of this Court in [W.P. (MD) No.22705 of 2017, dated 22.01.2018 **[M.K.Manikam Vs. The Union of India]** and contends that shifting or closing of a Railway Station is purely a policy decision and the petitioner, under the guise of Public Interest Litigation, cannot seek a relief by directing the authority concerned to act in a particular manner.

4. We have considered the above submissions.

5. In **M.K.Manikam** [supra], this Court in Paragraph Nos.12 and 13 held as follows:-

"12. In the considered opinion of this Court, this Court lacks expertise to embargo upon the matter like this in and by which the prayer is sought for to reopen a particular railway station. It is also the submission of the learned counsel appearing for the respondents that due to the economic inviolability, a fair decision has been taken by the railway authorities to close the station permanently and insofar as the proceedings of the Deputy Chief Engineer, gauge conversion, dated 18.04.2007, it is his contention that it is merely a recommendatory thing and after taking into consideration of the relevant factors, the railway authorities had decided not to open the Madurai East Station, after gauging conversion.

13. In the considered opinion of this Court, it is a decision lies within the domain of the railway authorities and it is a policy decision. Unless it is specifically pointed out its arbitrariness or malafidness, this Court cannot exercise its power under Article 226 of the Constitution of India and not inclined to interfere with the same".

6. We are also informed by the learned Standing Counsel appearing on behalf of the respondents 2 and 3/ Railway Administration that the decision to close Meikudi Railway Station, Allur Village, Tiruchirappalli District, has been taken on considerations of economic viability.



7. Finding ourselves in entire agreement with the views expressed by this Court in **M.K.Manikam [supra]**, we dismiss the present Writ Petition. No costs.

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Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Trichy District, Trichy.
2. The General Manager,
Southern Railway,
Chennai.
3. The Senior Divisional Manager,
Southern Railway, Salem Division,
Salem.

+1cc to Mr.G.Sundaram, Advocate Sr.No.59893
+1cc to Spl.Government Pleader Sr.No.59987
+1cc to Mr.S.Manohar, Advocate Sr.No.60082

NB

VB/SV/MMS/SAR4/19/04/2018/3P/7C

ORDER MADE IN
W.P. [MD] .No. 7198 of 2018
04.04.2018