

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2019

CORAM:

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.No.3261 of 2019
and
WMP.Nos.3530 and 3533 of 2019

S.Ranjan

.. Petitioner

vs.

1. The General Managar,
Southern Railway, Park Town,
Chennai 3.
2. The Southern Railway Sports
Association,
Rep by its Secretary,
Southern Railway, Park Town,
Chennai 3.
3. The Railway Protection,
Rep by its Senior Divisional Security
Commissioner, Head Office,
Park Town, Chennai 3.

.. Respondents

PRAYER:

Writ Petition filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorarified Mandamus, to call for the records from the respondents in respect of fixation of charges of Rs.350/- for walking in the second respondent's grounds at Perambur, Chennai 11, through the announcement dated - Nil - which was affixed on the ground wall and quash the same and consequently directing the second respondent to permit the petitioner and others for walking with free of cost.

For Petitioner

: Mr.P.Vijendran

For Respondents

: Mr.P.T.Ram Kumar
Standing Counsel

O R D E R

This writ petition is filed challenging the notice issued by the second respondent in fixing the charge of Rs.350/- per person for walking in the second respondent's grounds at Perambur, Chennai-11.

2.Heard the learned counsel for the petitioner and Mr.P.T.Ram Kumar, learned Standing Counsel takes notice for the respondents.

3.Admittedly, the subject matter property, where the petitioner seeks to do the walking exercise, is belonging to the Railways. Therefore, if the respondents fix some terms and conditions for using the said property including the fixation of fees for the usage of the same, the same cannot be questioned by the petitioner as a matter of right that he should be permitted to use it free of cost. However, as it is stated that fixation of such fee for walking is on the higher side, that too, for senior citizens, it is for the petitioner to make a representation to the concerned officials of the respondents for reducing the same.

4.Mr.P.T.Ram Kumar, learned Standing Counsel for the respondents fairly submits that if any fresh representation is made, the same will be considered and appropriate orders will be passed accordingly.

5.Accordingly, this writ petition is disposed of by granting liberty to the petitioner to make a fresh representation for reducing the fees for utilising the grounds for walking. If any such representation is made, the second respondent shall consider the same and pass appropriate orders accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

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Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vkr/vri

To

1. The General Managar,
Southern Railway, Park Town,
Chennai 3.
2. The Southern Railway Sports Association,
Rep by its Secretary,
Southern Railway, Park Town,
Chennai 3.
3. The Railway Protection,
Rep by its Senior Divisional Security
Commissioner, Head Office,
Park Town, Chennai 3.

+1cc to Mr.P.Vijendran, Advocate, S.R.No.10369

+1cc to Mr.P.T.Ram Kumar, Advocate, S.R.No.10127

W.P.No.3261 of 2019
and

WMP.Nos.3530 and 3533 of 2019

MR (CO)
CS/04/03/2019



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