

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2019

CORAM

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

W.P. 9978 of 2014

and

M.P. 1 of 2014

R.Doss ... Petitioner
Versus

1. Ministry of Railways,
rep. By Chairman,
Railway Board,
Rail Bhavan, Raisina Road,
New Delhi-110 001.
2. The Southern Railways,
rep. By its General Manager,
General Manager Office,
General Branch,
1st Floor, NGO Main Buildings,
Southern Railway,
Park Town, Chennai-600 003.
3. The Chief Claims Officer,
Southern Railways,
5th Floor, M.M. Complex,
Chennai-3. ... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, calling for records of the 3rd respondent herein in his proceedings in No.C/355/TORTS/08/2014/COURT, dated 21.02.2014 and quash the same and consequently direct the respondents herein to pay the petitioner a sum of Rs.51,03,989/- together with future interest @ 7.5% from the date of filing of this Writ Petition till the date of payment as compensation for being jointly and vicariously liable for the act of recklessness and negligence on the part of the Railway authorities in causing the accident dated 10.04.2012.

For Petitioner : Mr.D.Ravichander

For Respondents : Mr.P.T. Ramkumar

Standing Counsel for R1 and R2

O R D E R

The learned counsel appearing for the petitioner seeks permission of this Court to withdraw the Writ Petition and a liberty may be granted to the petitioner to file a claim petition. He has also made endorsement to that effect.

In view of the submission and endorsement made by the learned Counsel appearing for the Petitioner, the Writ Petition dismissed as withdrawn with a liberty to work out his remedy in the manner known to law including filing a claim petition under the Motor Vehicles Act. No costs. Consequently, the connected Miscellaneous Petition also closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

rpp
To

1. The Chairman,
Ministry of Railways,
Railway Board,
Rail Bhavan, Raisina Road,
New Delhi-110 001.
2. The General Manager,
Southern Railways,
General Manager Office,
General Branch,
1st Floor, NGO Main Buildings,
Southern Railway,
Park Town, Chennai-600 003.
3. The Chief Claims Officer,
Southern Railways,
5th Floor, M.M. Complex,
Chennai-3.

+1cc to Mr.D.Ravichander , Advocate SR.No. 91714

+1cc to Mr.P.T.Ram kumar , Advocate SR.No. 9350

W.P. 9978 of 2014

A.SK(05/12/2019)