



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.06.2019

CORAM:

THE HONOURABLE MR. JUSTICE M. SATHYANARAYANAN

and

THE HONOURABLE MR. JUSTICE B. PUGALENDHI

W.P(MD) No.12876 of 2019

A.M.Sundaravel

... Petitioner

Vs.

1.The Principal Secretary,
Railway Ministry,
Government of India,
New Delhi.

2.The Secretary,
Southern Railway Chennai Zone,
George Town,
Chennai - 600 003.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to announce new trains and to extend the train services between the places of Nagercoil and Chennai at day hours and night hours and consequently direct the respondents to inspect and take appropriate action for announcing new train facilities from the places mentioned in the petitioner's representation, dated 09.05.2019.

For Petitioner

: Mr.M.Sundaravel

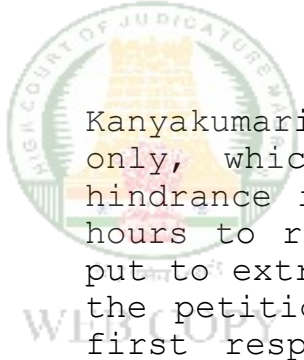
Party-in-person

ORDER

(Order of the Court was made by **M. SATHYANARAYANAN, J.**)

The Writ Petition is styled as a 'Public Interest Litigation' filed by a person, who is appearing as party-in-person, and according to him, he worked as a Work Inspector in the services of the Public Works Department and got voluntary retirement.

2.The grievance expressed by the petitioner/party-in-person is that very many numbers of passengers are travelling from Thiruvananthapuram, Quilon, Alapuzha, Thiruvananthapuram and other places of Kerala State to Tamil Nadu and from the year 2012 onwards, no new trains are under operation or introduced by the Railway Administration between Chennai and Kanyakumari. Insofar as 'Andhyodhya Train' announced between Chennai and Shenkottai junction is not yet become full operational. The petitioner/party-in-person has also expressed his grievance that despite a long distance, since no proper night train has been introduced for travelling to



Kanyakumari, intending passengers are forced to take journey by bus only, which is having a longer process and it is also causing hindrance in the light of the fact that it would take more than 10 hours to reach the place of destination. The travelling public are put to extreme hardship and lot of inconvenience and in this regard, the petitioner submitted a representation, dated 09.05.2019 to the first respondent and since no response is forthcoming, he came forward to file this Writ Petition.

3.The petitioner/party-in-person would submit that it is high time that night train has to be introduced between Chennai to Kanyakumari or atleast 'Andhyodhya Train' to be operated between Chennai and Shenkottai, so that the persons, who are in advance year of age, can avail all the benefits of the train services and hence, prays for appropriate orders.

4.This Court has carefully considered the submissions of the petitioner/party-in-person and perused the materials available on record.

5.Insofar as the introduction of new train is concerned, it is the policy decision of the Railways, which may take into consideration the various factors including the operation and viability and as such, this Court is not in a position to issue any positive direction for introduction of such a train. Insofar as the grievance expressed by the petitioner as regards 'Andhyodhya Train' not fully operational is concerned, this Court is of the considered view that the respondents shall take care of the same, as the petitioner has also sent a representation in that regard.

6.There are elected representatives, namely, the members of Parliament, who may take into consideration the grievance of the electorate and they would definitely act accordingly and therefore, the petitioner is also at liberty to approach the concerned Member of Parliament in that regard.

7.In the light of the observations made by this Court, this Court cannot issue any positive direction as to the formation of a particular policy, especially, with regard to the introduction and running of the train. This Court is of the considered view that the Writ Petition cannot be entertained.

8.In the result, the Writ Petition is dismissed with the above observations. No costs.

Sd/-

Assistant Registrar (RTI)

/ True Copy /



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Railway Ministry, Government of India,
New Delhi.

2. The Secretary,
Southern Railway Chennai Zone,
George Town, Chennai - 600 003.

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ES/03.07.2019/3P/3C