



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 16.09.2019
CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

WEB COPY

W.P. (MD)No.15907 of 2019

Venkataraman

: Petitioner

Vs.

1. The Divisional Railway Manager,
Office of the Divisional Railway Manager,
Trichy Division,
Southern Railway,
Tiruchirappalli-1.

2.The Commercial Manager,
Southern Railway,
Trichy Division,
Tiruchirappalli-1.

3.The Station Manager,
Southern Railway,
Nagore Railway Station,
Nagore.

4.Sri.A.S.Vijayaragavan,
General Manager,
Marg Port,
Karaikkal.

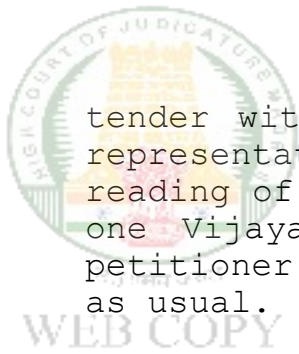
: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the first respondent to dispose of the representations preferred by the petitioner dated 10.10.2018 and 21.01.2019 respectively to the respondents and call for public tender.

For Petitioner	: Mr.R.Sundar
For Respondents	: Mr.S.Manohar
R1 to 3	
For R4	: Mr.M.Dinesh

ORDER

The petitioner is a Railway Contractor. He has become a Contractor for removing the coal for the period between 2017-2018. Thereafter, Railways have not floated any tender for removing the coal. According to the petitioner, it is the usual practice that the tender should be floated for the remaining work and non-issuance of



tender with oblique motive to favour somebody is illegal. He made representations in this regard on 10.10.2018 and 21.01.2019. A reading of the representations reveals that the work was allotted to one Vijayaragavan, General Manager of Marg Port, Karaikkal. The petitioner seeks cancellation of that work order and to issue tender as usual.

2. The respondents filed a detailed counter-affidavit, wherein, as per the decision of the Railway Administration, the responsibility of maintenance of tracks is given to Engineering Department and they themselves are doing the work in order to maintain the safety of the Railway track.

3. Any decision to issue tender or to carry out the works is for the Railway Administration to decide. Any outsider cannot compel the Administration to adopt a particular policy or particular course in the day-to-day affairs. Since the representation touches upon the indoor management of Railway Administration, without any legal right for the petitioner to ask for the reliefs, the Writ Petition is dismissed as not sustainable in law. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

+1 CC to Mr.R.SUNDAR, Advocate (SR-87000[F] dated 17/09/2019)
+1 CC to Mr.S.MANO HAR, Advocate (SR-87123[F] dated 17/09/2019)
+1 CC to Mr.M.DINESH, Advocate (SR-87429[F] dated 18/09/2019)

Order made in
W.P. (MD)No.15907 of 2019
Dated: 16.09.2019

SML

MK (03.10.2019) 2P 4C