



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Thursday, the Nineteenth day of September Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.SUNDAR

WMP(MD) No.16291 of 2019

IN

WP(MD) No.13080 of 2019

S.RABIK RAJA

... PETITIONER/PETITIONER/PETITIONER

Vs

THE SENIOR DIVISIONAL COMMERCIAL MANAGER,
SOUTHERN RAILWAY,
TRICHY DIVISION,
TRICHY.

... RESPONDENT/RESPONDENT/RESPONDENT

PRAYER in WMP(MD)No.16291/2019:

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to extend the time stipulated in the interim order dated 22.08.2019 passed in wmp(md)14513/2019 in the above writ petition up to 31.10.2019 to pay a remaining sum of Rs.3,97,000 to the respondent railways pending disposal.

PRAYER in WMP(MD)No.14513/2019:

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to extend the time stipulated in the interim order dated 11.6.2019 passed in WMP(MD).NO.9760 and 9761/2019 in the above Writ Petition up to 20.10.2019 to pay a remaining sum of Rs.3,97,000/- to the respondent Railways pending disposal of this Writ Petition and thus render justice.

Prayer in WMP(MD) . 9760/ 2019 :

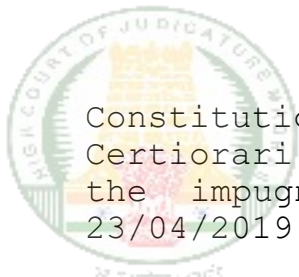
To stay the proceedings of the impugned order in No.T/C79/Misc.Article Stall / VM dated 23/04/2019 on the file of the Respondent pending disposal of the Writ Petition.

Prayer in WMP(MD) . 9761/ 2019 :

To pass an order of interim direction directing the respondent to permit the petitioner to run the Miscellaneous Article Stall in Platform No.1 of the Villupuram Junction pending disposal of this Writ Petition.

Prayer in WP(MD) . 13080/ 2019 :

Writ Petition is filed under Article 226 of the
<https://hcservices.ecourts.gov.in/hcservices/>



Constitution of India, praying this Court To issue a Writ of Certiorari calling for the records relating to the proceedings of the impugned order in No.T/C79/Misc.Article Stall / VM dated 23/04/2019 on the file of the Respondent and quash the same.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.K.JEYAMOCHAN for M/S.G.PRABHU RAJADURAI, Advocate for the petitioner and of MR.S.MANOCHAR, Standing Counsel on behalf of the Respondent, the court made the following order:-

Read this in conjunction with and in continuation of earlier proceedings of this Court dated 22.08.2019 in W.M.P.(MD)No.14513 of 2019 in W.P.(MD)No.13080 of 2019 made by my predecessor Learned Judge. Relevant portion reads as follows:

'Considering the plea raised by the petitioner, as projected by the learned counsel for the petitioner, though the learned counsel for the petitioner sought further four weeks time to make the remaining payment of Rs.3,97,000/-, this Court is inclined to give only two weeks time from today, within which time, the said amount of Rs.3,97,000/- shall be paid by the petitioner to the respondents, failing which, it is open to the respondents to take appropriate action against the petitioner in accordance with law.'

2. Two weeks time granted by this Court elapsed on 05.09.2019.

3. Learned counsel for writ petitioner submits that he tendered Rs.1,00,000/- on 04.09.2019, but the same was not received by the respondent and this is denied by the respondent. This Court, without entering upon the exercise of resolving this controversy, after hearing learned Standing counsel for Railways, considers it appropriate to extend time till 30.09.2019 and writ petitioner undertakes to tender Rs.1,00,000/- (Rupees One Lakh only) by Monday, ie., 23.09.2019. To be noted, in all other respects aforementioned earlier order dated 22.08.2019 in W.M.P.(MD)No.14513 of 2019 in W.P.(MD)No.13080 of 2019 will continue to govern the parties.

4. Instant Writ Miscellaneous Petition is ordered on above terms.

sd/-
19/09/2019

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

THE SENIOR DIVISIONAL COMMERCIAL MANAGER,
SOUTHERN RAILWAY ,
TRICHY DIVISION, TRICHY.

ORDER

IN

WMP (MD) No.16291 of 2019

IN

WP (MD) No.13080 of 2019

Date :19/09/2019

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PK/SK/SAR-1/24.09.2019 : 3P/2C