



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.02.2020**

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

WEB COPY

W.P(MD)No.3757 of 2019

S.Rabik Raja

.. Petitioner

vs

The Senior Divisional Commercial Manager,
Southern Railway, Trichy Division,
Tiruchirappalli.

.. Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondent to provide extension of time till 31.03.2020 to the petitioner to pay the second year annual license fee with interest for running the Catering Stall S-4(GMU) in Platform Nos.2 & 3 of Tiruchirappalli Junction by considering the petitioner's representation dated 04.02.2020.

For Petitioner : Mr.G.Prabhu Rajadurai

For Respondent : Mr.S.MAnohar
Standing Counsel

ORDER

This Writ Petitioner has sought for a Mandamus directing the respondent to provide extension of time till 31.03.2020 to the petitioner to pay the second year annual license fee with interest for running the Catering Stall S-4(GMU) in Platform Nos.2 & 3 of Tiruchirappalli Junction, by considering the petitioner's representation, dated 04.02.2020.

2. Mr.S.Manohar, learned Standing Counsel takes notice on behalf of the respondent.

3. By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

4. Mr.S.Manohar, learned Standing Counsel, who accepts notice on behalf of the respondent stated that the petitioner has to pay arrears of a sum of Rs.13,60,000/- with interest at the rate of 18% per annum. He would further state that though the petitioner has taken the catering Stall for five years with a clause for renewal, he has paid a sum of Rs.13,60,000/- only for the first year and for



the second year, he has to pay another sum of Rs.13,60,000/- for renewal and if there is any delay in payment, it will carry interest at 18% per annum.

5. Admittedly, the petitioner has not paid the said sum and therefore, the Catering Stall is closed now. Today, when the matter is taken up for hearing, the learned counsel for the petitioner would state that he is willing to pay the above said sum with interest, which comes to Rs.16,04,800/- as on 13.02.2020, within a period of one month.

6. The learned counsel for the respondent would submit that if the petitioner is willing to pay the above said sum of Rs.13,60,000/- with interest at the rate of 18% p.a., till the date of payment, ie., within a period of one month, they will renew the license for the second year and permit him to open the Stall.

7. In view of the above, the petitioner is directed to deposit the entire sum which is due, within one month from today and on payment of which, the respondent is directed to renew the license for the second year and permit the petitioner to open the Stall and hand over possession to him, and in default, it is open to the respondent to proceed with the termination of license in accordance with law.

8. With the above directions and observations, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

The Senior Divisional Commercial Manager,
Southern Railway,
Trichy Division,
Tiruchirappalli.

+1 CC to M/s.S.MANOHAR, Advocate (SR-8289[F]

+1 CC to M/s.G.PRABHU RAJADURAI, Advocate (SR-8342[F]

ORDER MADE IN

W.P. (MD) .No.3757 of 2020

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