



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE:29.01.2020

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P (MD)No.26988 of 2019

S.Kumaravel

... Petitioner

Vs.

- 1.The Divisional Manager,
Southern Railway,
Madurai Division,
Madurai - 625 006.
- 2.The Chief Divisional Commercial Officer,
Southern Railway,
Madurai.
- 3.The Assistant Divisional Manager,
Southern Railway(Section Officer),
Karaikudi,
Sivagangai District.
- 4.The Divisional Commercial Inspector,
Southern Railway,
Karaikudi,
Sivagangai District.
- 5.The Station Master,
Karaikudi Railway Station,
Sivagangai District.
- 6.The Inspector of Police,
Railway Protection Force Police Station,
Karaikudi,
Sivagangai District.
- 7.The Inspector,
Railway Police Station,
Karaikudi,
Sivagangai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Mandamus directing the respondents 1 to 7 to remove the unauthorized Auto Stand developed by the Railway Auto Drivers Welfare Union in the Old Railway Station premises of Karaikudi Railway Station and consequently to direct the respondents 1 to 7 to prevent the auto drivers from entering into the new and old premises of Karaikudi



Railway Station in the absence of valid parking permit issued by the Railway Administration and also to direct the respondents 6 and 7 to provide adequate protection to the registered Auto Drivers with valid parking permit, who are using the new and old premises of Karaikudi Railway Station, Sivagangai District.

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For Petitioner : Mr.S.Bharathi Kannan
For Respondents : Mr.S.Manohar
Standing Counsel

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus directing the respondents 1 to 7 to remove the unauthorized Auto Stand developed by the Railway Auto Drivers Welfare Union in the Old Railway Station premises of Karaikudi Railway Station and consequently to direct the respondents 1 to 7 to prevent the auto drivers from entering into the new and old premises of Karaikudi Railway Station in the absence of valid parking permit issued by the Railway Administration and also to direct the respondents 6 and 7 to provide adequate protection to the registered Auto Drivers with valid parking permit, who are using the new and old premises of Karaikudi Railway Station, Sivagangai District.

2. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3. The case of the petitioner is that in Karaikudi Railway Station, there are two premises such as old and new premises. The Petitioner is an auto driver with valid Railway parking permit. While-so, the auto drivers who are not holding parking permit had restrained the Petitioner and other parking permit auto drivers from loading and unloading passengers in the old and new Railway Station. While-so, the auto drivers who are not holding parking permit from Railways, formed a new auto stand by name 'Railway Auto Drivers Welfare Union in-front of the old premises of Karaikudi Railway Station. Be that as it may, when the Petitioner entered into the old premises of Karaikudi Railway Station on 4.3.2013, the Petitioner was prevented by one of the auto drivers of the above said union from loading and unloading the passengers and as the above said action continued, the Petitioner submitted a representation, dated 5.12.2019 to the respondents 1 to 7 to take action against the auto drivers who are using the railway premises without any parking permit. The same is said to be still pending. Hence, the petitioner has come forward with the present Writ Petition for the above stated relief.

4. Therefore, without expressing any opinion on the merits of the claim made by the petitioner, the Senior Divisional Commercial



Manager, Southern Railway, Madurai is directed to consider the representation of the petitioner, dated 5.12.2019 and pass appropriate orders on the same, on merits and in accordance with law, after giving due opportunity of hearing to all the necessary parties, within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above direction, the Writ Petition is disposed of. No Costs.

Sd/-

Assistant Registrar (AD I)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

vsn

To

1. The Divisional Manager,
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Madurai Division,
Madurai - 625 006.
2. The Chief Divisional Commercial Officer,
Southern Railway,
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3. The Assistant Divisional Manager,
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Karaikudi,
Sivagangai District.
4. The Divisional Commercial Inspector,
Southern Railway,
Karaikudi,
Sivagangai District.
5. The Station Master,
Karaikudi Railway Station,
Sivagangai District.
6. The Inspector of Police,
Railway Protection Force Police Station,
Karaikudi,
Sivagangai District.



7.The Inspector,
Railway Police Station,
Karaikudi,
Sivagangai District.

WEB COPY

Copy to

The Senior Divisional Commercial Manager,
Southern Railway,
Madurai.

+1 cc to Mr.S.Barathy kannan , Advocate SR.No.4234
+1 cc to Mr.S.Manohar , Advocate SR.No.4122

ORDER MADE IN
W.P (MD) No.26988 of 2019
29.01.2020

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