



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 16.08.2021

CORAM

THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P.NO.2413 OF 2009

S.Kalyanram
The Divisional Secretary,
All India Station Masters' Association,
Madurai Division, S.Rly
No.21, T.B.Road (Vikrama Complex),
Room No.8/II Floor,
Madurai - 625 010.

... Petitioner

.Vs.

1. The Chief Personnel Officer,
Southern Railway, Park Town,
Chennai - 600 003.
2. The Additional Divisional Railway Manager,
Madurai Division, Southern Railway,
Madurai.

... Respondents

PRAYER:- Writ petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus calling for the records relating to the impugned order No.P(L) 694/1/T dated 18.02.2008 issued by the 1st respondent and to quash the same and to direct the respondents to permit the petitioner to fulfill the mandatory duties in espousing the cause of the station masters.

For Petitioner : Ms.N.R.Jasmine Padma

For Respondents : Ms.Pradeesha
For Mr.P.T.Ramkumar

Standing Counsel
For Southern Railway

ORDER

Read this in conjunction with and in continuation of earlier proceedings made in the previous listing on 11.08.2021, which reads as follows:



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'Ms.Jasmine Padma, learned counsel representing the counsel on record for sole writ petitioner and Ms.Prajeesha, learned counsel representing the Standing Counsel for Southern Railway Mr.P.T.Ram Kumar are before this virtual Court.

2. Learned counsel for writ petitioner requests for a short accommodation and learned counsel says it would be desirable to ascertain whether anything survives in the matter and whether writ petition has to be pursued and report to this Court.

List on Monday (16.08.2021).'

2. Today, Ms.N.R.Jasmine Padma, learned counsel on record for sole writ petitioner and Ms.Prajeesha, learned counsel representing Standing Counsel for Southern Railway Mr.P.T.Ramkumar (on behalf of both the respondents) are before this Virtual Court.

3. Respondents have filed a counter affidavit, but it may not be necessary to advert to the same as learned counsel for writ petitioner very fairly submits that post captioned writ petition (to be noted, captioned writ petition was filed in this Court on 30.01.2009) i.e., pending writ petition, respondents Southern Railway has issued another set of guidelines dated 12.07.2016. Therefore, the impugned guidelines dated 18.02.2009 bearing reference No.P(L) 694/1/T has been replaced is learned counsel's say. Therefore, nothing survives in the matter is learned writ petitioner counsel's further say. Learned counsel for writ petitioner also points out that writ petitioner has since retired from service.

In the light of the narrative thus far, recording the stated position of the learned counsel for writ petitioner, captioned writ petition is disposed of as closed (having become infructuous) without expressing any opinion on the merits of the matter. There shall be no order as to costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

gpa



To

1. The Chief Personnel Officer,
Southern Railway,
Park Town,
Chennai - 600 003.

2. The Additional Divisional Railway Manager,
Madurai Division,
Southern Railway,
Madurai.

+1cc to Mr.P.T.Ramkumar, Advocate, S.R.No.40856

W.P.NO.2413 OF 2009

SJ(CO)
PBS/17/09/2021