



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.09.2021

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.NO.30769 OF 2016

AND

W.M.P.NO.26665 OF 2016

M/s.Fine Green Constructions Private Limited,
Rep. by its Chairman Mr.Ambica Krishna,
4-66/1, Gowtham Nagar, Industrial Estate,
Eluru - 534 006, Warangal District,
Andhra Pradesh

...Petitioner

Versus

- 1.The Divisional Railway Manager,
Salem Railway Division, Southern Railways,
Divisional Railway Manager's Office,
Salem, Tamilnadu.
- 2.The Senior Divisional Commercial Manager,
Salem Railway Division, Southern Railways,
Salem, Tamilnadu.
- 3.The Rail Land Development Authority,
Rep. by its Joint General Manager/Land - I,
Next to Safdarjund Railway Station,
Moti Bagh I, New Delhi - 110 021.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus forbearing the respondents from in any manner closing, blocking and/or causing any hindrance or obstruction, either by putting up a wall or otherwise, in the approach road/pathway beginning from the Salem Junction Railway Station Platform up to the Corporation Road, thereby separating/isolating the petitioner's Multi-Function Complex (i.e., Ambica VG Complex) from the Salem Junction Railway Station area.

For Petitioner : Mr.S.Anbazhagan

For Respondents : Mr.P.T.Ramkumar,
Standing Counsel for Southern Railways



O R D E R

Today, when this writ petition was taken up for hearing, the learned counsel for the petitioner submitted that this Court vide order dated 01.09.2016, granted an order of interim injunction in favour of the petitioner, the relevant portion of which is usefully extracted hereinbelow:

"5. On a perusal of the typed-set of documents as well as photographs annexed as Document No.7, would indicate that a wall is going to be constructed between the shopping complex and the Multi-Functional Complexes, being operated and run by the petitioner and in that event, the passengers may not have access to the Multi-Functional Complex and the petitioner would be put to great difficulty and loss. Thus, this Court is of the view that a prima facie case has been made out for the grant of interim order and the balance of convenience as on today, lies in favour of the petitioner.

Hence, there shall be an order of interim injunction restraining the respondents 1 and 2 from putting up a wall, which obstructs the Multi-Functional Complexes at Salem Junction Railway Station till 27.09.2016."

Subsequent to the aforesaid order of this Court, the respondents stalled their construction activities and permitted the petitioner to have access to the Multi-Functional Complex.

2. The learned Standing Counsel appearing for the respondents fairly submitted that such permission would continue.

3. Recording the aforesaid submission made by the learned Standing Counsel appearing for the respondents, this Writ Petition is closed. Consequently, connected Miscellaneous Petition is also closed.

Sd/-
Assistant Registrar (CS-IX)

// True Copy //

Sub Assistant Registrar

mrr

To

1.The Divisional Railway Manager,
Salem Railway Division, Southern Railways,
Divisional Railway Manager's Office,
Salem, Tamilnadu.



2.The Senior Divisional Commercial Manager,
Salem Railway Division, Southern Railways,
Salem, Tamilnadu.

3.The Rail Land Development Authority,
Rep. by its Joint General Manager/Land - I,
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+1cc to Mr.P.T.Ramkumar, Advocate SR.No.45270

W.P.No.30769 of 2016

LN(CO)
RVM(24/09/2021)