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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No. 17172 of 2016

and

W.M.P.No. 14603 of 2016

Himachal Pradesh Horticultural
Produce Marketing and Processing
Corporation Limited (HPMC) rep.,
By its Regional Manager Shri.
B.L.Saravanan, No.34/1-A3
Ennore Express High Road,
Thiruvottiyur, Chennai - 600 019.

... Petitioner

Vs

1. Union of India,
rep. by Secretary, Government of India,
Ministry of Railways,
Rail Bhavan, New Delhi.
2. The Railway Board,
Rep. by its Chairman,
Ministry of Railways,
Rail Bhavan, New Delhi, PIN- 110001
3. Indian Railway Catering and Tourism
Corporation (IRCTC) rep. By its
Chairman & Managing Director,
South Zone Office,
No.6A, The Rain Tree Place,
No.9 Mc Nichols Road,
Chetpet, Chennai - 600 031.
4. The Deputy Chief Commercial Manager,
(PS-II) HQ, Southern Railway
Chennai - 600 002.
5. The Divisional Railway Manager (Commercial)
Southern Railway, Palagat Division,
Palagat, Kerala.
6. The Senior Divisional Commercial Manager,
Southern Railway, Palagat Division,
Palagat, Kerala.

..Respondents



PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus, to call for the Letter Ref.No.J.C.79/ HPMC dated 14.10.2015 issued by the 5th respondent, to quash the same and consequently direct the respondents 1 to 6 to evolve and adopt an uniform policy in allotment of Juice/ Apple Juice Stall to the petitioner pending disposal of the representation dated 02.02.2013, to 1st respondent.

For Petitioner : Mr.C.S.K.Sathish

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

O R D E R

The order impugned dated 14.10.2015 issued by the 5th respondent reveals that the licenses for running HPMC stalls at Palakkad Jn Railway Station, Shoranur Jn Railway Station and Kannur Railway Station expired on 08.04.2015.

2. The learned counsel for the respondents / Southern Railway made a submission that during the year 2017 onwards, new catering policy has been introduced by the Southern Railway and now open tender auction has been conducted for any allotment of stalls. Therefore, the petitioner has to participate in the open auction, if any notified by the Southern Railways in accordance with the rules in force. This apart, the licenses granted expired even before filing of the writ petition and under these circumstances, the petitioner is at liberty to participate in the open tender auction, if any notified.

3. With this liberty, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary,
Government of India,
Ministry of Railways,
Rail Bhavan, New Delhi.



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2. The Chairman,
The Railway Board,
Ministry of Railways,
Rail Bhavan, New Delhi, PIN- 110001
3. Indian Railway Catering and Tourism
Corporation (IRCTC) rep. By its
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Palagat, Kerala
6. The Senior Divisional Commercial Railway Manager,
Southern Railway, Palagat Division,
Palagat, Kerala

+1cc to Mr.P.T.Ramkumar, Advocate, S.R.No.3482

W.P.No.17172 of 2016

MT(CO)
CT 08/02/2022