



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN
AND
THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No. 34682 of 2018 and
WMP.No.5403 of 2019

T.Selvaraj

... Petitioner

-vs-

1. Union of India rep by
Secretary to Government
Ministry of Railways,
Rail Bhavan, New Delhi.

2. The Director General
Railway Protection Force,
Rail Bhawan, New Delhi.

3. The Chief Security Commissioner
Railway Protection Force, Southern Railway,
Moore Market Complex, Chennai-3.

4. The Senior Divisional Security Commissioner/
Disciplinary Authority,
Railway Protection Force, Chennai-3.

5. R.Chinnadurai
Assistant Security Commissioner/Enquiry Officer,
Workshop & Stores,
Railway Protection Force,
Madras Division, Southern Railway,
Chennai.

.... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for issuance of Writ of declaration to declare the rule 153 (2) (1) of Railway Protection Rules 1987 as null and void.

For Petitioner : Mr. R.Dineshkumar

For Respondents : Mr.P.T.Ramkumar (R1 to R4)
No Appearance (R5)



O R D E R

S.VAIDYANATHAN, J.,
AND
MOHAMMED SHAFFIQ, J.,

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Today, when the matter is taken up for hearing, the learned counsel appearing for the Petitioner submitted that in this Petition, the Petitioner has challenged the provisions of Rule 153 (2)(1) of Railway Protection Rules, 1987 and subsequently he was removed from service on 24.09.2020, in respect of another disciplinary proceedings and the same has been questioned before this Court. Hence, he seeks permission of this Court to withdraw this Writ Petition with liberty to challenge the Rule, after final attainment of disciplinary proceedings, by filing a fresh Writ Petition. He has also made an endorsement to that effect.

2. In view of the submission made by the learned counsel for the Appellant and also in view of the endorsement made, this Writ Petition is dismissed as withdrawn with liberty as prayed for. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

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To:

1. Union of India
The Secretary to Government
Ministry of Railways,
Rail Bhavan, New Delhi.
2. The Director General
Railway Protection Force,
Rail Bhawan, New Delhi.
3. The Chief Security Commissioner
Railway Protection Force, Southern Railway,
Moore Market Complex, Chennai-3.
4. The Senior Divisional Security Commissioner/
Disciplinary Authority,
Railway Protection Force, Chennai-3.

+1cc to M/s.R.T.Ramkumar, Advocate, S.R.No.17244

W.P.No.34682 of 2018

SPD(CO)
SB(01/04/2022)