



W.P.No.4214 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.09.2024

CORAM:

THE HON'BLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.4214 of 2022

and

W.M.P.Nos.4364 and 4368 of 2022

M/s.GI Retail Private Limited,
Rep. by its Authorised Signatory,
Ramu Annamalai

...Petitioner

Vs.

The Senior Divisional Commercial Manager,
Chennai Division,
Divisional Railway Manager's Office,
Commercial Branch, NGO Annex, II Floor,
Park Town, Chennai – 600 003.

...Respondent

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records of the first respondent impugned termination order No.M/C.300/Cycle/BBQ dated 03.01.2022 issued by the respondent to the petitioner and quash the same and consequently direct the respondent revise the license fee in proportion to the reduced footfall and permit the petitioner to complete the contract period from 01.06.2021 to 31.05.2024 and to order to make civil corrections to the



W.P.No.4214 of 2022

unusable portion.

WEB COPY

For Petitioner : M/s.Narmatha Sampath

For Respondent : Mr.K.Srinivasa Murthy, SPC

ORDER

This writ petition has been filed seeking to quash the impugned termination order No.M/C.300/Cycle/BBQ dated 03.01.2022 issued by the respondent and to consequently direct the respondent to revise the license fee in proportion to the reduced footfall and to permit the petitioner to complete the contract period from 01.06.2021 to 31.05.2024.

2. Challenging the proceedings of the respondent terminating the petitioner's contract from running the vehicle parking stand at Basin Bridge Railway Station, the above writ petition has been filed to revise the license fee in proportion to the reduced footfall and to permit the petitioner to complete the contract period from 01.06.2021 to 31.05.2024.

3. Heard the learned counsel on either side.



W.P.No.4214 of 2022

4. Though several contentions have been raised for a considerable time, both the learned counsel on either side agree to go before an arbitrator as envisaged in the contract executed between the parties. They also agree to appoint Justice K.Ravichandra Babu, a retired Judge of this Court to be appointed as the sole arbitrator in this case.

5. In the light of the above, the writ petition is disposed appointing Justice K.Ravichandra Babu, a retired Judge of this Court as the sole arbitrator to resolve the dispute in this case. The parties are liberty to work out their remedies before the sole Arbitrator so appointed in this order. It is made clear that the period spent during the pendency of this writ petition shall be excluded for the purpose of computation of limitation. It is needless to point out that the parties shall bear the remuneration of the sole Arbitrator equally.

6. With the above observation, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

10.09.2024
2/2

Index : Yes/No
Speaking order : Yes/No
NCC : Yes/No



WEB COPY



W.P.No.4214 of 2022

M.DHANDAPANI, J.

rap

To:

The Senior Divisional Commercial Manager,
Chennai Division,
Divisional Railway Manager's Office,
Commercial Branch, NGO Annex, II Floor,
Park Town, Chennai – 600 003.

W.P.No.4214 of 2022

10.09.2024
2/2

4/4