



W.P(MD)No.10011 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 24.04.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.10011 of 2024

S.Rabik Raja

... Petitioner

Vs.

The Senior Divisional Commercial Manager,
Divisional Office, Commercial Branch,
Southern Railways,
Madurai.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the Respondent to renew the license of the Petitioner for a period of three years to run the catering stall in Platform 2/3 of Tirunelveli Junction along with platform vending by considering the representation of the Petitioner dated 17.03.2024.

For Petitioner : Mr.K.Jeyamohan

For Respondent : Mr.K.Govindarajan
DSGI

ORDER

Heard the learned counsel appearing for the petitioner and the learned DSGI appearing for the respondent.



W.P(MD)No.10011 of 2024

WEB COPY

2. The petitioner was granted license to run the petition mentioned catering stall. The license period is to expire shortly. The petitioner wants renewal. The petitioner is aware that as per the new catering policy, 2017, there is no scope for renewal.

3. However, the Hon'ble Supreme Court of India had indicated that taking into account the right to livelihood, licensee can be granted renewal for one shop alone. The petitioner is admittedly running more than one catering stall as on date. The petitioner's counsel states that he will elect and confine his choice to the petition mentioned catering stall alone.

4. The learned DSGI submits that the petitioner ought to have applied this well in advance and since he has not done so, he may not have a case. I am of the view that I need not foreclose the contention at this stage itself. These are matters in which the writ Court will not give positive direction. It can only call upon the respondent to take a call in the matter. If the Southern Railways are of the view that the petitioner can be shown indulgence, I need not come in the way. I therefore direct the respondent to consider the petition mentioned representation and give a disposal on merits. Such decision shall be taken as expeditiously as possible.



W.P(MD)No.10011 of 2024

WEB COPY

5. The Writ Petition is disposed of accordingly. No costs.

24.04.2024

Index : Yes / No

Internet : Yes/ No

rmi

NOTE:Issue Order Copy on 25.04.2024



WEB COPY



W.P(MD)No.10011 of 2024

G.R.SWAMINATHAN, J.

rmi

W.P(MD)No.10011 of 2024

24.04.2024