



W.P(MD)No.31612 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 12.11.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.31612 of 2025

and

W.M.P(MD)No.24779 of 2025

A.Habeebullah

... Petitioner

Vs.

- 1.The Senior Divisional Commercial Manager,
Divisional Office,
Commercial Branch,
Southern Railways,
Trichy.
- 2.The Senior Divisional Engineer (Construction),
Divisional Office,
Southern Railways,
Trichy.
- 3.The Divisional Engineer,
Divisional Office,
Works Branch,
Southern Railways,
Trichy.
- 4.The Group General Manager,
M/s.IRCTC Ltd.,



W.P(MD)No.31612 of 2025

South Zone,
No.6A, The Rain Tree Place,
No.9, Mc Nichols Road,
Chetpet, Chennai – 600 031.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to revise the water charges payable by the petitioner in respect of his Fast Food Unit (FFU) at Kumbakonam Railway Station in accordance to the existing norms in force by considering the representation of the petition dated 23.04.2025 and 24.04.2025 within a time limit as may be stipulated by this Court.

For Petitioner : Mr.J.Jeyamohan

For Respondents : Mr.R.Murali
for R.1 to R.3

Mr.S.Manohar for R.4

ORDER

Heard both sides.

2.The writ petitioner has been licensed to run a catering stall in Kumbakonam Railway Station premises. While the license is granted by



W.P(MD)No.31612 of 2025

the IRCTC Limited, water is supplied by the railways. A water meter was installed originally. Subsequently, it became dysfunctional and it was not replaced. When a water meter is not installed, the railways adopt a particular formula to determine the quantity of water supplied.

3. According to the railway management, the petitioner was in receipt of 75,000 litres of water every month. Bills have also been raised on this basis. According to the railways, the petitioner had settled the dues only up to June 2022 and has been in arrears ever since.

4. The petitioner strongly asserts that he had not consumed 75,000 litres of water every month as projected by the railways. If only a water meter had been installed, such a dispute would not have arisen. Be that as it may, the agreement between the parties provides for an arbitral remedy. The railway management has to install water meters in all the catering stalls for which they have granted license. It is neither safe nor appropriate to call upon the licensee to make the arrangement in question. The integrity of the water meter is of utmost importance. Since the license period is about to be over, the direction now given can be



W.P(MD)No.31612 of 2025

implemented and enforced from the commencement of the next license period.

5. There is considerable force in the contention of the learned Standing Counsel that if the writ petitioner had really felt aggrieved, he ought to have approached at the earliest point of time. The fact that he has knocked the doors of this Court virtually at the fag end of the license period does not indicate bona fides on his part.

6. Be that as it may, the petitioner undertakes to remit 50% of the dues as quantified by the railway management. Upon payment of the same, the matter shall be referred to arbitration. The arbitrator will adjudicate the issue as expeditiously as possible. The rights of the parties will be governed by the outcome of the arbitration. If the petitioner deposits 50% of the amount quantified by the authorities, the fact that he has not paid the balance amount will not be put against him in any other proceedings.



W.P(MD)No.31612 of 2025

7.This Writ Petition is disposed of accordingly. No costs.

Consequently, connected miscellaneous petition is closed.

12.11.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
MGA

To

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W.P(MD)No.31612 of 2025

G.R.SWAMINATHAN, J.

MGA

W.P(MD)No.31612 of 2025

12.11.2025