

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS

&

THE HONOURABLE MR. JUSTICE C. JAYACHANDRAN

FRIDAY, THE 28<sup>TH</sup> DAY OF APRIL 2023 / 8TH VAISAKHA, 1945

WP(C) NO. 14885 OF 2023

PETITIONER:

P T SHEEJISH  
AGED 39 YEARS  
S/O. P T IBRAHIM, P T BUNGALOW,  
PALLIPPATTU THOOMBAN HOUSE,  
THALAKADATHUR, TIRUR, MALAPPURAM DISTRICT,  
NOW RESIDING AT: A3, TATA GREEN ACRES,  
QUEENS WALK WAY, GOSREE, NEW MARINE DRIVE,  
ERNAKULAM DISTRICT, PIN - 682 018

BY ADVS.  
A.ABDUL RAHMAN (A-1917)  
P.MARTIN JOSE  
SUMEEN S.  
SREELAKSHMI C.H.  
ANJU SREEDHAR  
DAVIS PIUS

RESPONDENTS:

- 1 UNION OF INDIA  
REPRESENTED BY ITS PRINCIPAL SECRETARY,  
MINISTRY OF RAILWAYS, RAIL BHAWAN, RAFI MARG,  
NEW DELHI, PIN - 110 001
- 2 SOUTHERN RAILWAY  
REPRESENTED BY ITS GENERAL MANAGER,  
SOUTHERN RAILWAY HEADQUARTERS,  
PARK TOWN CHENNAI, PIN - 600 003
- 3 GENERAL MANAGER  
SOUTHERN RAILWAY, SOUTHERN RAILWAY HEADQUARTERS,  
NGO ANNEX, GEORGE TN, CHENNAI, TAMIL NADU, ., PIN - 600 003
- 4 DIVISIONAL RAILWAY MANAGER  
SOUTHERN RAILWAY, PALAKKAD RAILWAY DIVISION,  
RAILWAY DIVISIONAL OFFICE, KOZHIKODE - PALAKKAD HWY,  
KALLEKKULANGARA, OLAVAKODE,  
PALAKKAD, KERALA, PIN- ., PIN - 678 002

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON  
28.04.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**BECHU KURIAN THOMAS, & C. JAYACHANDRAN, J,J**

-----  
**WP(C) No. 14885 of 2023**  
-----

**Dated this the 28<sup>th</sup> day of April, 2023**

**JUDGMENT**

**BECHU KURIAN THOMAS, J.**

Petitioner seeks for a direction to respondents 1 to 3 to consider allowing a stop for the 'Vande Bharat Train Service' at Tirur Railway Station at Malappuram District.

2. The petitioner is a practicing lawyer before this Court. He alleges that even though there was a proposal to allot a stop for the new train named 'Vande Bharat' at Tirur, without any reason, the proposal did not fructify. It is alleged that despite Malappuram being densely populated and large number of people depend on train services for their travel purposes, a stop has not been allotted for the Malappuram District. According to the petitioner, the failure to allot a stop at Tirur Railway Station is an injustice to the entire people of Malappuram and therefore ignoring their requests and demands causes great prejudice.

3. On a consideration of the contentions advanced by Sri.A.Abdul Rahman, learned counsel for the the petitioner, we are satisfied that no public interest is espoused in the writ petition nor is the matter involved in this lis justiciable.

4. The stops to be provided for a train is a matter that has to be determined by the Railways. No person has a vested right to demand that a particular train should stop at a particular station. Moreover, like the petitioner, if every individual or public spirited person in every district, starts clamouring or demanding a stop to be provided at a Railway Station of his/her choice, the purpose of setting up high speed trains would itself be lost. Railway stops are not to be provided on demands based on personal or vested interests especially for high speed express trains like Vande Bharat train. If stops are provided on demand by public, the term express train will itself become a misnomer.

5. Further, the Courts cannot interfere in the matter of providing stops for railway trains, as that is a matter purely within the discretion and jurisdiction of the railways. Providing

railway stop for the Vande Bharat train at Tirur, Malappuram is therefore not justiciable.

In the above view of the matter, we find no reason to entertain this writ petition and the same is dismissed in limine.

Sd/-

**BECHU KURIAN THOMAS, JUDGE**

Sd/-

**C. JAYACHANDRAN , JUDGE**

sn

APPENDIX OF WP(C) 14885/2023

PETITIONER'S EXHIBITS

Exhibit P1                    THE TRUE COPY OF THE REPRESENTATION DATED  
23.04.2023 SUBMITTED BY THE PETITIONER BEFORE  
THE 3RD RESPONDENT

Exhibit P2                    THE TRUE COPY OF THE REPRESENTATION DATED  
23.04.2023 SUBMITTED BY THE PETITIONER BEFORE  
THE 4TH RESPONDENT

Exhibit P3                    THE TRUE COPY OF THE REPRESENTATION DATED  
25.04.2023 SUBMITTED BY THE PETITIONER BEFORE  
THE RAILWAY MINISTRY FOR BEHALF OF THE 1ST  
RESPONDENT

RESPONDENT'S EXHIBITS        :        NIL

//TRUE COPY//

PA TO JUDGE