

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.04.2015

Coram

The Hon'ble Mr. Justice T.RAJA

W.P.No.12956 of 2015

D.Jackson

.. Petitioner

Vs.

- 1.The Joint Transport Commissioner
(Road Safety),
Transport Department,
Ezhilagam, Chepauk,
Chennai - 5.
- 2.The Joint Transport Commissioner
(Rules), Transport Department,
Ezhilagam, Chepauk,
Chennai - 5.
- 3.The Secretary to Government,
School Education Department,
6th Floor, Namakkal Kavingar Maligai,
Fort St. George, Secretariat,
Chennai - 9.
- 4.The Director of School Education,
DPI Campus, 68, College Road,
Chennai - 6.
- 5.The Superintendent of Police,
Kanyakumari District,
Superintendent of Police Office,
Nagercoil - 629 001.
- 6.The Chief Educational Officer,
SLB School Complex,
Nagercoil - 629 001.
Kanyakumari District.

7.The Regional Transport Officer,
Marthandam, 11/61/1, Pulluvilai,
Sangai, Kangirakodu,
Marthandam - 629 155
Kanyakumari District.

8.The Principal,
Sacred Heart International School,
Pammam, Marthandam,
Kanyakumari District,
Tamil Nadu.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus to direct the second respondent to consider and take necessary action based on the petitioner's representation dated 27.01.2015 which was forwarded by the first respondent to the second respondent.

For Petitioner ... Mr.S.John J.Rajasingh

For Respondents ... Mr.R.Lakshminarayanan,
Addl. Govt. Pleader for R1 to R7

ORDER

This writ petition has been filed by Mr.D.Jackson, seeking a limited prayer of issuance of writ of mandamus, directing the Joint Transport Commissioner (Rules), Transport Department, Chennai to consider and take appropriate action based on his representation dated 27.01.2015.

2.Mr.R.Lakshminarayanan, learned Additional Government Pleader takes notice for respondents 1 to 7.

3.The petitioner is having two children and they are studying in the 8th respondent school. While using the bus services for commutation, one of the school bus drivers failed to follow the traffic rules, as a result, the school bus met with an accident, causing injury to the petitioner's son in his hip. Subsequently, the driver of the bus also escaped and the bus crew failed to take his son to the hospital. That apart, the 8th respondent school also failed to intimate to the police station about the said accident. Therefore, the petitioner has made a representation to the first respondent to enquire into the allegations of gross violation of non-compliance of safety guidelines/Rules/norms Tamil Nadu Motor Vehicles (Regulation and Control of Buses), Special Rules, 2012 for

school buses and take appropriate action thereupon. It appears that the first respondent forwarded the said representation to the second respondent. As there is no response from the second respondent, the petitioner has come up with this writ petition.

4.Considering the limited prayer sought for by the petitioner, without going into merits of the matter, this Court hereby directs the second respondent/Joint Transport Commissioner (Rules) to consider the petitioner's representation dated 27.01.2015, which has already been forwarded by the first respondent and pass orders on merits and in accordance with law, within a period of ten weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

Sd/-

Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

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To

- 1.The Joint Transport Commissioner
(Road Safety),
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Ezhilagam, Chepauk,
Chennai - 5.
- 2.The Joint Transport Commissioner
(Rules), Transport Department,
Ezhilagam, Chepauk,
Chennai - 5.
- 3.The Secretary to Government,
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5.The Superintendent of Police,
Kanyakumari District,
Superintendent of Police Office,
Nagercoil - 629 001.

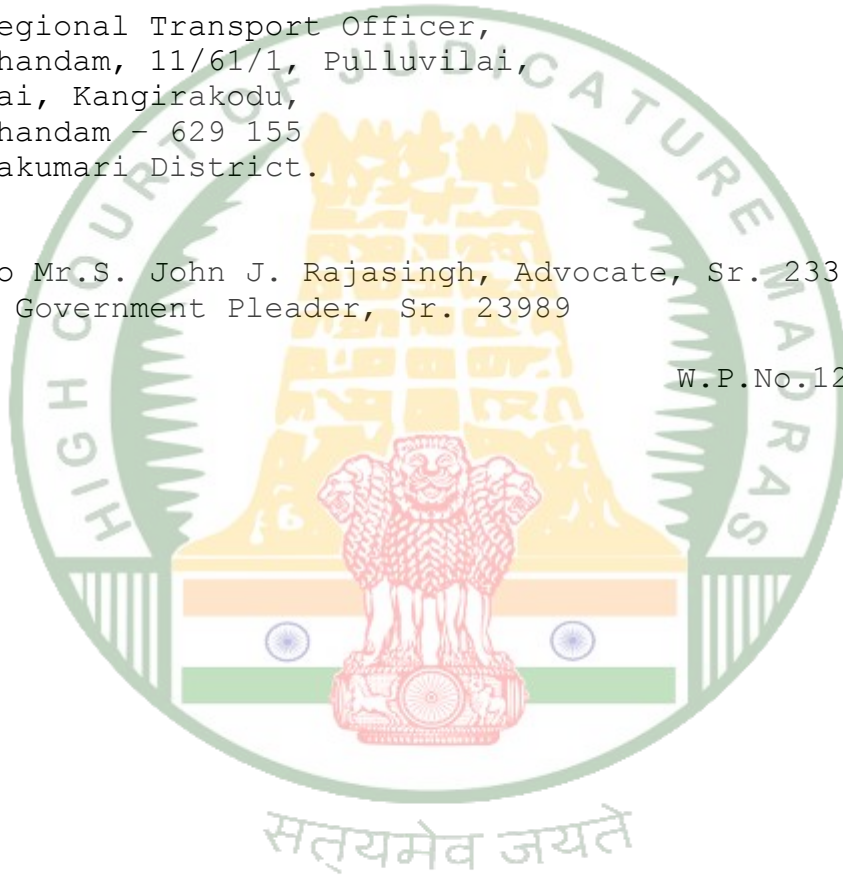
6.The Chief Educational Officer,
SLB School Complex,
Nagercoil - 629 001.
Kanyakumari District.

7.The Regional Transport Officer,
Marthandam, 11/61/1, Pulluvilai,
Sangai, Kangirakodu,
Marthandam - 629 155
Kanyakumari District.

2 ccs to Mr.S. John J. Rajasingh, Advocate, Sr. 23370
1 cc to Government Pleader, Sr. 23989

W.P.No.12956 of 2015

JP (CO)
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