

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.06.2015

CORAM

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
The Hon'ble MR.JUSTICE T.S.SIVAGNANAM

W.P.No.19034 of 2015
and
M.P.No.1 of 2015

New India People's Forum
(People's Welfare Wing of registered
Trust FICAS - Foundation for innovative
Casework and Research for education,
economy and environment),
rep. by its President J.S.N.Nimmu Vasanth,
No.28/59, K.B.Dasan Road,
Teyampet,
Chennai-600 018.

... Petitioner

-vs-

1. State of Tamil Nadu,
rep. by Secretary to Government
(Transport), Home Department,
Government of Tamil Nadu,
Secretariat, Fort St. George,
Chennai-600 009.
2. Special Commissioner and
Transport Commissioner,
Government of Tamil Nadu,
Ezhilagam, Chepauk,
Chennai-600 005.
3. Commissioner of Police,
Office of the Commissioner of Police,
No.132, EVK Sampath Salai,
Vepery, Chennai-600 007.

... Respondents

Petition under Article 226 of the Constitution of India praying for issue of Writ of Mandamus forbearing the 1st respondent from proceeding with the implementation of the press release PR No.290 dated 17.6.2015 in the website.

For Petitioner : Ms.J.S.N.Nimmu Vasanth
Party-in-person

For Respondents : Mr.A.L.Somayaji
Advocate General
and
Mr.P.H.Arvinth Pandian
Addl. Advocate General
assisted by
Mr.STS.Moorthy
Government Pleader

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

The petitioner claims to be a registered Trust and on being asked, the President of the Trust appearing before us is unable to point out any part of aims and objectives of the Trust which deals with the issue of road safety and the norms laid for the same. Thus, this writ petition at the behest of the petitioner is not maintainable being beyond the aims and objectives of the Trust and by merely passing a resolution for filing the writ petition, the Trust cannot be permitted to act beyond its aims and objectives.

2. The petitioner states that wearing Helmet is per se not desirable and causing harassment. The above submission is contrary to the provisions of the Motor Vehicles Act, 1988 and the Rules therein. This is the second petition today, which is nothing but publicity interest litigation, dealing with an important issue of road safety where the learned Single Judge of this Court has directed enforcement of norms of wearing Helmet. We have dismissed the other writ petition being W.P.No.19020 of 2015 dealing with the same issue.

3. There is no public interest at all involved and the writ petition is dismissed. No costs. Consequently, M.P.No.1 of 2015 is closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary to Government
(Transport), Home Department,
Government of Tamil Nadu,
Secretariat, Fort St. George, Chennai-600 009.
2. The Special Commissioner and Transport Commissioner,
Government of Tamil Nadu,
Ezhilagam, Chepauk, Chennai-600 005.
3. The Commissioner of Police,
Office of the Commissioner of Police,
No.132, EVK Sampath Salai,
Vepery, Chennai-600 007.

+1cc to Mr.J.S.N.Nimu Vasanth, Advocate, S.R.No.32060
+1cc to the Government Pleader, S.R.No.32212

W.P.No.19034 of 2015

KJI (CO)
CA(09/07/2015)



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