

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 16..03..2015

CORAM:

The Honourable Mr.SANJAY KISHAN KAUL, CHIEF JUSTICE  
and  
The Honourable Mr. Justice M.M.SUNDRESH

W.P.No.5007 of 2015

Salem District Sticker Shop Owners Welfare Association  
represented by its Secretary N.Manikandan  
No.238/97A, Serry road,  
Opp. Municipal Building,  
Kumarasampatty,  
Salem 636 007. ... Petitioner

versus

- 1.The Government of Tamil Nadu  
represented by its Secretary  
Home Department  
Fort St.George,  
Chennai 600 009.
- 2.The Government of Tamil Nadu  
represented by its Secretary  
Transport Department  
Fort St.George,  
Chennai 600 009.
- 3.The Transport Commissioner/State Transport Authority,  
Transport Department  
Ezhilagam,  
Chepauk, Chennai 600 005.
- 4.The Director General of Police  
No.1, Kamarajar Salai,  
Mylapore,  
Chennai 600 004.

5.The Superintendent of Police  
Salem District,  
District Police Office,  
Nethimedu, Salem 636 002.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issue of a writ of Mandamus, forbearing the respondents, particularly the 5<sup>th</sup> respondent their men, agents, subordinate officers from initiating or registering any false case/proceedings/complaint against the members of the petitioner association for manufacturing or supplying registration plates with letter "IND" for the vehicles.

For Petitioner : Mr. F.B.Benjamin George

For Respondents : Mr. S.T.S.Moorthy,  
Government Pleader for R.1 to R.5

#### ORDER

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

The petition has been filed by a registered Association having 63 members who are engaged in the business of graphics, body graphics stickers for vehicles, Motor Vehicles Accessories like Music System, Remote Control etc., Sun Control Film for the Buildings, Name Boards and Sign Boards for Office and Houses, Number Plates for Vehicles etc., in Salem District.

2. Suffice to say in this behalf that this Court had issued directions in a Public Interest Litigation, being W.P.No.31258 of 2014 to detect and remove the so called high security number plates, even though the contract for manufacture of the same had not been granted. The said writ petition was ultimately disposed of and was last listed for compliance on 11.03.2015. On that date, an application had been filed by one of the traders who was selling the offending number plates alleging that he was unaware of the fact that such number plates could not be sold and that he only purchased them from the manufacturers and sold them on a bona fide belief that they were one more kind of number plates. Undertaking has been given by the applicant that in future, they will not sell such number plates, which was accepted.

3. In the present petition, the allegation is that there are

several instances of registration of false case against members as if they are manufacturing fake 'High Security Registration Plates.' We may however note that the justification given by the petitioner Association for the eligibility to sell these High Security Number Plates has to be rejected, as there is no sanction in law for them, nor have they been manufactured, as there were disputes pending qua contract awarded for the said purpose which now stands cancelled and in fact new contracts have to be awarded. Thus, the High Security Number Plates have been manufactured and sold by these traders, which were not in dispute and that is why the police intervention was called for, which rightly looked into the issue as per the direction of the Court aforesaid with an endeavour to zero down on the manufacturers who have introduced such number plates into the market.

4. The relief sought for in this petition forbearing the respondents from initiating or registering any of these false case/proceedings/complaints against the members cannot be granted in the writ proceedings. However, the counter affidavit filed by the 5<sup>th</sup> respondent shows that thereafter there has been detection of large number of unauthorized/fake high security number plates.

5. Learned counsel for the petitioner submits that in paragraph-19 of the petition, the members of the Association have undertaken not to manufacture any registration plates which are fake high security number plates. He submits that such an undertaking would include the sale of such fake number plates.

6. We take the undertaking on record. Beyond this, no direction can be passed.

7. The writ petition accordingly stands disposed of. No costs. Consequently M.P.No.1 of 2015 is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

ksr

Copy To

- 1.The Secretary,  
Government of Tamil Nadu  
Home Department  
Fort St.George,  
Chennai 600 009.
- 2.The Secretary,  
Government of Tamil Nadu  
Transport Department  
Fort St.George,  
Chennai 600 009.
- 3.The Transport Commissioner/State Transport Authority,  
Transport Department  
Ezhilagam,  
Chepauk, Chennai 600 005.
- 4.The Director General of Police  
No.1, Kamarajar Salai,  
Mylapore,  
Chennai 600 004.
- 5.The Superintendent of Police  
Salem District,  
District Police Office,  
Nethimedu, Salem 636 002.

+1cc to Mr.F.B.Benjamin George, Advocate, S.R.No.14482  
+1cc to the Government Pleader, S.R.No.14663

W.P.No.5007 of 2015

SK(CO)  
CA(24/03/2015)

सत्यमेव जयते

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