

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2015

CORAM

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
The Hon'ble MR.JUSTICE M.M.SUNDRESH

W.P.No.23052 of 2012

V.S.Suresh

.. Petitioner

Vs.

- 1.The Director General of Police,
Law and Order,
Kamarajar Salai,
Chennai.
 - 2.The Transport Commissioner,
Ezhilagam,
Chennai.
 - 3.The Additional Commissioner of Police Traffic,
Traffic Head Quarters,
Kilpauk, Chennai
- .. Respondents.

Petition under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondents to consider the petitioner's representation dated 26.5.2011 and to pass orders to direct all the vehicle owners to paint Bulls Eye in the Head Light of their vehicle as per Rule 405 (C) of Tamil Nadu Motor Vehicle Rules, 1989.

For Petitioner : Mrs.G.Devi

For Respondents : Mr.STS. Moorthy
Special Government Pleader for R1 to R3

O R D E R

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

The social behavioral aspect of people driving with headlights 'on' whether in town or outside, is sought to be raised in the present petition. It is not in doubt that there has to be an education for change of social behavior and what is required to be done by the respondent authorities is to make the people realise not

only the inconvenience of others, but possibilities of accidents caused as a result thereof.

2. The prayer made is that the vehicle owners to be educated to paint Bulls Eye in the Head Light of their vehicle in accordance with Rule 405 (C) of the Tamil Nadu Motor Vehicle Rules, 1989, which reads as follows:-

'405.Dazzling light - restriction of. - (a) The driver of a motor vehicle shall at all times when the lights of the motor vehicles are in use so manipulate them that danger or undue inconvenience is not caused to a person by dazzle.

(b) The Commissioner of Police in the City of Chennai and elsewhere the Superintendent of Police may by notification in the Official Gazettee and by the erection of suitable notices in English and Tamil prohibit the use, within such areas or in such places as may be specified in the notification of direct head lights.

(c) The head lights of all motor vehicles shall be painted in black on its centre portion so as not to cause inconvenience to the drivers of the vehicles coming on the opposite direction.' (underling added)

3. The learned Government Pleader appearing for the State submits that the police has taken action to educate the people and some photographs in this behalf have been shown to us.

4. Possibly, more serious effort is required to achieve the social change and compliance of the rule, and thus, vigorous exercise be carried out in this behalf.

5. A Circular Memorandum issued on 05.8.2011 in this behalf by the Director General of Police, is produced before us. This, possibly needs to be given more publicity, so that the concerned authorities are made aware of the rule and the requirement, apart from making the public more aware of it.

6. The writ petition is, thus, closed with the aforesaid observations, with the hope that people will look to inconvenience of others rather than only their convenience. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

- 1.The Director General of Police,
Law and Order,
Kamarajar Salai,
Chennai.
- 2.The Transport Commissioner,
Ezhilagam,
Chennai.
- 3.The Additional Commissioner of Police Traffic,
Traffic Head Quarters,
Kilpauk, Chennai

+ 1 cc to Mr.V. Raghupathi, Advocate SR.10981

+ 1 cc Government Pleader Sr.11049

VSN(CO)

EU 31.03.2015

W.P.No.23052 of 2012



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