

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2015

CORAM

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

W.P.Nos.27041 and 27042 of 2014

- 1.Madras Metro Auto Drivers Association
Rep. by its General Secretary,
J.Seshasayanam.
- 2.J.Seshasayanam ... Petitioners in
both WPs.

-vs-

- 1.Union of India
Rep. by its Secretary to Govt.,
Ministry of Road Transport & Highways,
'Transport Bhawan', No.1, Parliamentary
Street, New Delhi.
- 2.The Joint Secretary (Transport),
Ministry of Road Transport & Highways,
'Transport Bhawan', No.1, Parliamentary
Street, New Delhi.
- 3.The Automotive Research Association
of India, Rep. by its Secretary,
Survey No.102, Vetral Hill, Off Paud Road,
Kothrud, Pune.
- 4.State of Tamil Nadu, rep. by
Secretary to Govt., Transport Dept.,
Ezhilagam, Chempauk, Chennai. .. Respondents
in both WPs.

Petitions filed under Article 226 of the Constitution of India praying for issue of (i) W.P.No.27041/2014 - Writ of Certiorari to call for the records of the 1st respondent in the impugned notification No.GSR (E) 99 dated 19.2.2014 which introduces the Central Motor Vehicles (1st Amendment) Rules, 2014 and quash the same as illegal, arbitrary and ultra vires the provisions of the Motor Vehicles Act, 1988; and (ii) W.P.No.27042/2014 - Writ of Mandamus to direct the respondents to refrain from exercising their powers under

the Motor Vehicles Act, 1988 to implement the impugned notification No.GSR (E) 99 dated 19.2.2014 issued by the 1st respondent.

For Petitioners : Mr.Satish Parasaran

For Respondents : Mr.Rabu Manohar for RR1 & 2
: Mr.S.T.S.Moorthy, GP, for R-4
: Mr.B.Manoharan for R-3

* * * * *

COMMON ORDER

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

In terms of order passed in Transfer Petition (C) Nos.341- 349 of 2015 by the Hon'ble Supreme Court on 10.03.2015, W.P.No.27041 of 2014 stands transferred to the file of Hon'ble Supreme Court. W.P.No.27042 of 2014 is actually for a consequential relief.

2.Registry to process the file for transfer and the fate of the proceedings before the Hon'ble Supreme Court would, in turn, determine the lis in W.P.No.27042 of 2014.

3.No further directions are, thus, required in W.P.No.27041 of 2014, while W.P.No.27042 of 2014, accordingly, stands disposed of. No costs.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

To

- 1.The Secretary, Union of India
Ministry of Road Transport & Highways,
'Transport Bhawan', No.1, Parliamentary
Street, New Delhi.
- 2.The Joint Secretary (Transport),
Ministry of Road Transport & Highways,
'Transport Bhawan', No.1, Parliamentary
Street, New Delhi.
- 3.The Automotive Research Association
of India, Rep. by its Secretary,
Survey No.102, Vetel Hill, Off Paud Road,
Kothrud, Pune.

4. Secretary to Govt Tamil Nadu,
Transport Dept., Ezhilagam, Chepauk, Chennai.

5. The Section Officer,
Writ Section, High Court, Madras.

6. The Section Officer,
Supreme Court Section,
High Court, Madras.

+2 cc's to M/s.B.Rabu Manohar, Advocate, SR.18435, 18436.

+1 cc to Government Pleader, SR.18507

+1 cc to M/s.S.Haja Mohideen Gishi, Advocate, SR.18547

+1 cc to M/s.S.Manohar, Advocate, SR.18327.

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