

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.03.2016

CORAM

THE HONOURABLE Mr. JUSTICE M.DURAI SWAMY

W.P.No.36799 of 2015

Villupuram District Sand and Heavy
Lorry Owners Welfare Association,
Regn.No.73 of 2014,
rep by its President,
D. Adithan,
Mariyamman Koil Street,
Kappiyampuliyur,
Vikravandi Taluk,
Villupuram District

..... petitioner

v.

1. District Collector,
Villupuram District
Villupuram
2. Revenue Divisional Officer,
Villupuram Revenue Division,
Villupuram,
Villupuram District
3. The Superintendent of Police,
Villupuram,
Villupuram District
4. The Inspector of Police (Traffic),
Vikravandi Police Station,
Villupuram District,
Villupuram
5. The Regional Transport Officer,
Villupuram District,
Villupuram
6. The Regional Director,
National Highway Authority of India,
Trichy Region,
Trichy

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to take appropriate action against the overloads and implement the rules and regulations framed under Motor Vehicles Act as well the Goods Carrier Act by considering petitioner's representation dated 07.09.2015 within stipulated time.

For Petitioner : Mr.K. Balu
For R.1 to R.5 : Mr.T.N. Rajagopalan,
Spl.G.P

For R.6 : Mr.J. Madhanagopal Rao
SCGSC

ORDER

The petitioner has filed the above writ petition to issue a Writ of Mandamus directing the respondents to take appropriate action against the overloads and implement the rules and regulations framed under Motor Vehicles Act as well the Goods Carrier Act by considering petitioner's representation dated 07.09.2015 within stipulated time.

2. The petitioner contended that the respondents are not taking any action against the violators of the Motor Vehicles Act, by overloading the vehicles etc.,

3. The respondents 4 and 5 filed their counter before this Court, wherein, the fourth respondent has stated that they have been taking action against the violators of Motor Vehicles Act and also in paragraph-8, they have given the details of the vehicles and the amount realised as fine. Further, in paragraph-9, the fourth respondent has stated that totally, 4960 cases were registered against the persons, who violated the Motor Vehicles Act during the period from 01.01.2015 to 30.11.2015.

4. In these circumstances, I am of the view that the fourth respondent is taking action against the violators of Motor Vehicles Act and cases were also registered against the violators. Therefore, the contention of the petitioner that no action can be taken as against the violators cannot be accepted.

5. In these circumstances, recording the averments stated in the counter, filed by the respondents 4 and 5, the writ petition is closed. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

sr
To

1. District Collector,
Villupuram District
Villupuram
2. Revenue Divisional Officer,
Villupuram Revenue Division,
Villupuram,
Villupuram District
3. The Superintendent of Police,
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4. The Inspector of Police (Traffic),
Vikravandi Police Station,
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5. The Regional Transport Officer,
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Villupuram
6. The Regional Director,
National Highway Authority of India,
Trichy Region,
Trichy

+1 cc to Mr.M.Balu Advocate sr.18126/16

W.P.No.36799 of 2015

aa30/03/2016