

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2016

CORAM :

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

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P. No.24412 of 2016

Nethaji Pokkuvarathu Thozhilalargal
Pathukappu Thozhil Sangam,
Rep. By its General Secretary,
Mr.M.Anburaj.

... Petitioner

-Vs-

1. The Secretary to Government,
Transport Department,
Secretariat, Chennai 600 009.
2. The Transport Commissioner,
Chepauk, Chennai 600 005.
3. The Director General of Police,
Police Department, Kamarajar Salai,
Chennai 600 004.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the respondents to consider and dispose of the representation of the petitioner namely Nethaji Pokkuvarathu Thozhilalargal Pathukappu Thozhil Sangam dated 29.09.2014 to take immediate and appropriate steps to operate every buses after daily maintenance by washing the buses and cleaning the inside of the bus and to check the engines to make sure that there is no defect in functioning of any part of the engine, electrical connections, other fittings, and to ensure that the buses used for plying are free from any defect and hundred percent fit for operation on the road and ensure the safety, comfortable, peaceful journey to public and passengers who depend upon the Transport Corporation buses for their journey in our state within a time frame.

For Petitioner : Mr.R.Y.George Williams

For Respondents : Mr.V.R.Kamalanathan,
Additional Government Pleader

O R D E R

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

The petitioner is the Workers' Union of the Transport Corporation itself. The petitioner seeks to raise the issue of what is alleged to be poor maintenance of the buses claiming that they are compelled to work on the buses. Some photographs of buses which are burnt or damaged by public have been filed and one of the newspaper reports alleging lack of proper maintenance has also been filed.

2. On the conspectus of the matter, we are of the view that this is really an endeavour of the Union to assert itself, for which they have other methodologies. No doubt, buses are required to be maintained properly by the Corporation and that is an aspect which the Corporation should look into. However, it is not possible for this Court to run the buses on behalf of the Corporation, check the interior of each bus and find out whether the conditions are in accordance with the norms or not. It is completely an administrative exercise. P.I.L. is, thus, not really a remedy.

3. Writ petition is dismissed with the aforesaid observations. No costs.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

sra
To

1. The Secretary to Government,
Transport Department,
Secretariat, Chennai 600 009.
2. The Transport Commissioner,
Chepauk, Chennai 600 005.
3. The Director General of Police,
Police Department, Kamarajar Salai,
Chennai 600 004.

+1cc to Mr.R.Y.George Williams, Advocate, S.R.No.39794

+1cc to the Government Pleader, S.R.No.39942

W.P.No.24412 of 2016

SKV(CO)

CA(27/07/2016)