

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.09.2016

CORAM :

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

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P. No.32004 of 2016

B.Raman

.. Petitioner

-vs-

1.The Government of Tamil Nadu,
Rep. By its Secretary,
Home (Transport III) Department,
Fort St. George, Chennai 600 009.

2.The Regional Transport Authority,
Krishnagiri District, Krishnagiri.

3.The Regional Transport Officer,
Krishnagiri District, Krishnagiri.

4.Tamil Nadu Pollution Control Board,
Rep. By District Environmental Engineer,
149A, SIPCOT Durga, Hosur 635 126.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the 1st respondent to extend the Government Order made in G.O. Ms.No.463, Home (Department III) Department, dated 13.5.2010 restricting the grant of 3 + 1 seater passenger auto permit only in respect of Liquefied Petroleum Gas dedicated auto rickshaws which is applicable only to Chennai Metropolitan city to the Krishnagiri town also and further forbear the 2nd and 3rd respondents from granting any such permit in respect of vehicles fitted with diesel/petrol engine.

For Petitioner : Mr.M.Palani

For Respondents : Mr.M.K.Subramanian
Govt. Pleader for RR 1 to 3

O R D E R

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

The petitioner seeks extension of G.O. dated 13.05.2010 on para materia basis to Krishnagiri, as in the case of Chennai, where auto permits are to be granted only in respect of LPG fitted engines to prohibit the grant of permits in respect of petrol and diesel engines. It is the case of the petitioner that applications have been made numbering more than 500 for grant of auto permits and that there is every possibility that the same may be granted in respect of autos with diesel engines.

2.The petitioner claims that like in Chennai, a study should be made of pollution levels at Krishnagiri District for the said purpose.

3.On our query as to what is the expertise of the petitioner in respect of environmental issues whether by his qualification or work done in the field, there appears to be nothing to show to us that he is capable of contributing in this field. To merely say, as most petitions state, that the petitioner is a public spirited citizen does not mean that every citizen will comment on every aspect of governance and then, approach the Court through a public interest litigation. No doubt, environment is an important issue and the effect of vehicular pollution has to be examined. In W.P.No.40809 of 2015, we had, in fact, asked the Tamil Nadu Pollution Control Board to have a study in major cities of Tamil Nadu to determine the pollution levels.

4.We are, thus, of the view that this is not a public interest litigation to be entertained and that too at the behest of the petitioner, who can give no specific input into the matter in issue.

5.Writ petition is, accordingly, dismissed. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

sra

To

1.The Secretary to Govt. of Tamil Nadu,
Home (Transport III) Department,
Fort St. George, Chennai 600 009.

2.The Regional Transport Authority,
Krishnagiri District, Krishnagiri.

3.The Regional Transport Officer,
Krishnagiri District, Krishnagiri.

4.District Environmental Engineer,
Tamil Nadu Pollution Control Board,
149A, SIPCOT Durga, Hosur 635 126.

+ 1cc to M/s. M. Palani, Advocate sR.51856
+ 1 cc to Government Pleader SR.52053

W.P.No.32004 of 2016

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EU 21.09.16



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