

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :12.07.2018

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.25498 of 2013

and

MP.No.1 of 2013

Om Sri Vivekananda Educational Trust,
Rep. by its Authorized Signatory,
Attur Main Road, Ramalingapuram,
Salem-636 106.

..Petitioner

vs

1.The Government of India,
Rep. by its Secretary,
Department of Road Transport and Highways,
Ministry of Shipping Road Transport and Highways,
New Delhi.

2.National Highways Authority of India,
Rep. By its Chairman,
G. 5 & 6, Sector-10,
Dwarka, New Delhi-110 075.

3.The Project Director,
National Highways Authority of India,
212-3/D3-1, Sri Nagar Colony,
Narasothipatti, Salem-636 004.

4.M.V.R. Infrastructure and Toll ways Pvt. Ltd.,
M.V.R. Toll Plaza,
Kottagoundapatty,
Omalar Taluk, Salem District-636 011.

5.Salem Tollways Limited,
Vaikuntham Post,
Valakkuttai, Sankari Taluk,
Salem District-637 103.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Declaration, declaring that the benefit of paragraph 5(b)(iii) of the Notification in S.O.882(E) dated 30.03.2009 and paragraph 7(2)

(ii) of the Notification in S.O.1178(E), dated 08.05.2009 of the 1st respondent and published in the Extraordinary issue of Part II, Section 3(ii) of the Gazette of India is available to all the "educational institution buses" namely TN 57 J 7797, TN 30 X 7799, TN 59 AZ 1414, TN 36 L 7117, TN 59 T 7570, TN 39 AE 7997, TN 41 P 2188, TN 27 Q 9696, TN 58 L 2554 etc. run by the Petitioner as defined in Section 2(11) of the Motor Vehicles Act and not only for 'school buses'.

For Petitioner : Mr.Kandhan Duraisami

For Respondents : No Appearance

O R D E R

The learned counsel appearing on behalf of the Writ Petitioner submits that the issues involved in this Writ Petition are already settled by the Hon'ble Division Bench in Writ Appeal Nos.560 and 561 of 2014. Thus, no further adjudication to be undertaken in respect of the grounds in this Writ Petition.

2. Accordingly, the Writ Petition stands closed. Consequently connected miscellaneous petition is closed. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CS VII)

//True copy//

Sub Assistant Registrar

gmd/rkp

To

- 1.The Secretary,
Department of Road Transport and Highways,
Ministry of Shipping Road Transport and Highways,
New Delhi.
2. The Chairman,
National Highways Authority of India,
G. 5&6, Sector-10,
Dwarka, New Delhi-110 075.

3.The Project Director,
National Highways Authority of India,
212-3/D3-1, Sri Nagar Colony,
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GN (25/07/2018)



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