

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:05.12.2018

CORAM

THE HON'BLE DR.JUSTICE VINEET KOTHARI
AND
THE HON'BLE DR.JUSTICE ANITA SUMANTH

Writ Petition Nos.23288, 23669 and 23670 of 2017
& connected Miscellaneous Petitions

Traffic Dr.K.R.Ramaswamy

..... Petitioner in W.P.No.23288 of 2017

Tamilnadu Tipper Lorry Urimaiyalar Sammelanam
represented by its President Mr.T.Ravichandran

..... Petitioner in W.P.No.23669 of 2017

Tamilnadu Lorry Owners Federation
represented by its President Mr.R.Sugumar

..... Petitioner in W.P.No.23670 of 2017

Vs.

State represented by

1. The Chief Secretary,
Government of Tamil Nadu,
Secretariat, Chennai - 600 009.
2. The Secretary,
Government of Tamil Nadu,
Secretariat, Chennai - 600 009.
3. The Commissioner of Transport,
Chepak, Chennai - 600 005.
4. The Commissioner of Police,
Greater Chennai Police,
EVK Sampath Salai, Vepery,
Chennai - 600 007.

..... Respondents in W.P.No.23288 of 2017

1. The Secretary (Transport)
Home Department,
Government of Tamilnadu,
Fort St. George, Chennai - 600 009.

2. The State Transport Authority -cum-
The Transport Commissioner,
Chepauk, Chennai - 600 005.

3. The Joint Transport Commissioner,
Road Safety, Chepauk, Chennai - 600 005.

.... Respondents in W.P.Nos.23669 and
23670 of 2017

W.P.No.23288 of 2017:

PETITION filed under Article 226 of The Constitution of India praying for the issuance of writ of mandamus directing the respondents to consider the representation to cancel the notification if any based on the letter and spirit dated 26.08.2017 to save the public life and real democracy in Tamil Nadu, letter and spirit.

W.P.Nos.23669 and 23670 of 2017:

PETITION filed under Article 226 of The Constitution of India praying for the issuance of writ of mandamus forbearing the respondents and their subordinate officials from insisting the drivers to hold the original document of the driving licence when they are plying the vehicles with reference to the vehicles of the members of the petitioner's federation.

For Petitioner
in W.P.No.23288 of 2017 : Mr.K.Arvind

For Petitioner
in W.P.Nos.23669 &23670/2017 : Mr.S.Govindraman

For Respondents in the above W.Ps : Mr.M.Karthikeyan, AGP

सत्यमेव जयते
C O M M O N J U D G M E N T

(Delivered by DR.VINEET KOTHARI,J)

By W.P.No.23288 of 2017, the petitioner Traffic Dr.K.R.Ramasamy has prayed that the State may be directed to consider the representation of the petitioner to cancel the notification dated 26.08.2017 regarding carrying of the original driving licence with the drivers while plying the motor vehicles covered under the provisions of the Motor Vehicles Act, 1988 (in short 'Act').

2. By W.P.Nos.23669 and 23670 of 2017, the petitioners have prayed that the State may be directed not to insist the drivers driving the motor vehicles to carry the original driving licence while plying the vehicles.

3. It is brought to our notice that Rule 139 of the Central Motor Vehicles Rules, 1989 has been amended through Notification G.S.R.1081(E) dated 02.11.2018 and besides the paper documents, the driver is permitted now to carry the requisite documents driving the motor vehicles in digital format.

4. In view of the said amendment of relevant Rule, we are of the opinion that the present Writ Petitions filed by the petitioners have become infructuous and the same are accordingly disposed of. Consequently, the connected Miscellaneous Petitions are also disposed of. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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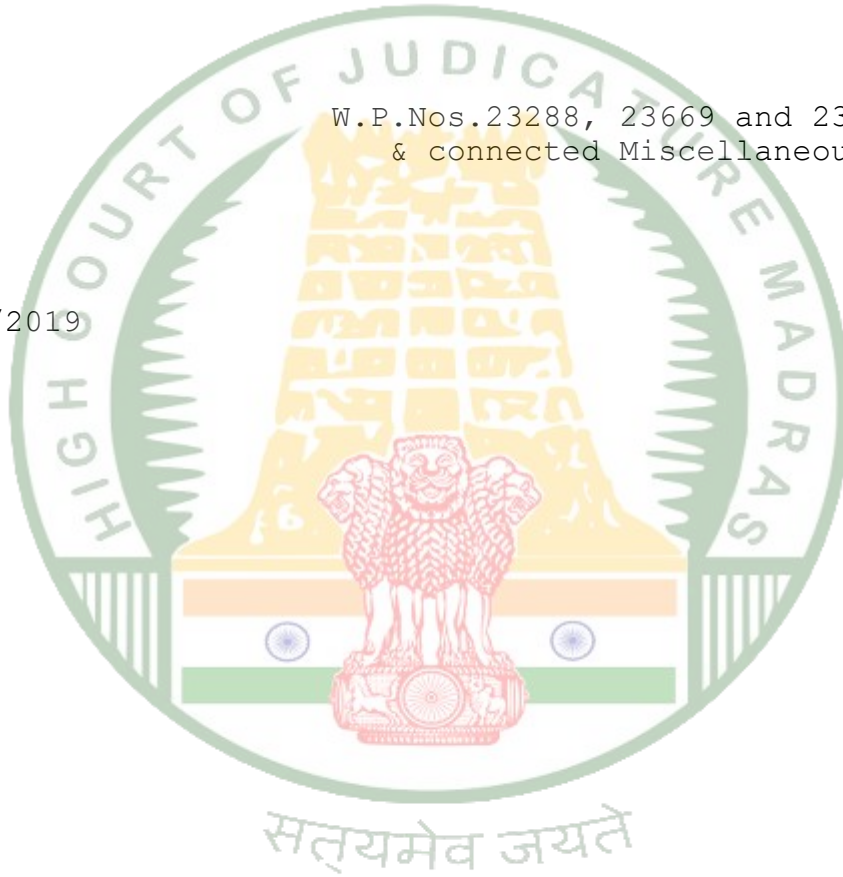
1. The Chief Secretary,
Government of Tamil Nadu,
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4. The Commissioner of Police,
Greater Chennai Police,
EVK Sampath Salai, Vepery,
Chennai - 600 007.
5. The Secretary (Transport)
Home Department,
Government of Tamilnadu,
Fort St. George, Chennai - 600 009.

6. The State Transport Authority -cum-
The Transport Commissioner,
Chepauk, Chennai - 600 005.
7. The Joint Transport Commissioner,
Road Safety, Chepauk, Chennai - 600 005.

+lcc to the Government Pleader Sr.83704, 83706
+lcc to Mr.S.Govindaraman, Advocate Sr.84151

W.P.Nos.23288, 23669 and 23670 of 2017
& connected Miscellaneous Petitions

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