



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED:16.07.2018

CORAM:

THE HONOURABLE Mr. JUSTICE C.T.SELVAM
and

THE HONOURABLE Mr. JUSTICE A.M.BASHEER AHAMED

W.P. (MD) No.22443 of 2017

A.Nallayamperumal ... Petitioner
Vs.

1.Transport Commissioner,
(Private Buses),
Ezhilagam, Chepauk,
Chennai-600 005.

2.Secretary to Government,
(TNSTC Buses),
Transport (A) Department,
Tamil Nadu Secretariat,
Chennai-600 009.

3.Principal Secretary to Government,
Home (Transport VII) Department,
Tamil Nadu Secretariat,
Chennai-600 009.

4.Managing Director,
Tamil Nadu State Transport Corporation,
Madurai-625 010. ... Respondents

PRAYER: The petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, directing the respondents 1 to 4 to consider the petitioner's representation, dated 13.11.2017 and to take appropriate action for collection of uniform bus fares throughout the State of Tamil Nadu in accordance with G.O.Ms.No.783 Home (Transport VII) Department, dated 17.11.2011 within a time frame that may be stipulated by this Court.

For Petitioner : Mr.A.Hariharan,

For R1 to R3 : Mr.M.Rajarajan,
Government Advocate

For R4 : Mr.A.Jeyaram

ORDER

(Order of the Court was made by C.T.SELVAM, J.)

This writ petition has been filed seeking a direction to the respondents 1 to 4 to consider the petitioner's representation, dated 13.11.2017 and to take appropriate action for collection of uniform bus fares throughout the State of Tamil Nadu in accordance with G.O.Ms.No.783 Home (Transport VII) Department, dated



17.11.2011.

2.This petitioner has moved the writ petition informing that bus fares have been collected by both State Transport Corporation and Private Bus operators in excess of what was permitted in G.O.Ms.No.783, Home (Transport VII) Department, dated 17.11.2011. The petitioner contended that while in respect of buses plying in Chennai, Coimbatore and Trichy, minimum bus fare tickets of Rs.3 have been issued, in respect of those falling within the Madurai Division only tickets of Rs.5 have been issued at a minimum. The petitioner has found support in a paper article of 17.08.2017.

3.This Court on 09.02.2018 had recorded as follows:-

"The learned Standing counsel appearing for the Transport Corporation undertakes to file status report as to the classification of the bus fare in the light of the recent bus fare hike"

4.Learned counsel for petitioner submitted that despite the directions of this Court, respondents have not filed their counter.

5.Learned counsel appearing for respondents submitted that bus fares had been collected only in keeping with the said Government Order and presently were being collected in keeping with the revised fares informed in G.O.(Ms) No.48, Home (Transport-VII), Department, dated 28.01.2018.

6.The plea of the petitioner relates to the various fares levied under the earlier G.O.Ms.No.783, dated 17.11.2011. However, learned counsel has sought to impress upon us that even as on date, collection of fares for various types of services have not been effected in keeping with the present G.O(Ms)No.48, Home (Transport-VII) Department, dated 28.01.2018.

7.We close the present writ petition with an observation that respondents are expected to levy and collect fares strictly in keeping G.O.(Ms)No.48, Home (Transport-VII), Department, dated 28.01.2018. We would record that publication of the various sums leviable in respect of different services and from one particular point to another as suggested by learned counsel for petitioner would serve a laudable purpose. We would require the respondents to consider the feasibility thereof. In the event of any violation of G.O(Ms)No.48, dated 28.1.2018, it will always open to the petitioner to come forward by way of further Public Interest Litigation. In doing so, the petitioner necessarily would have to inform specific violations and manner thereof. Omnibus allegations would not suffice. No costs.

Sd/

Assistant Registrar (RTI)

/True copy/



To

1. Transport Commissioner,
(Private Buses),
Ezhilagam, Chempauk,
Chennai-600 005.

2. Secretary to Government,
(TNSTC Buses),
Transport (A) Department,
Tamil Nadu Secretariat,
Chennai-600 009.

3. Principal Secretary to Government,
Home (Transport VII) Department,
Tamil Nadu Secretariat,
Chennai-600 009.

+1cc to Mr.A.Hariharan, Advocate, SR.No. 73248

W.P. (MD) No.22443 of 2017
16.07.2018

AM

KK/SKN/SAR-3/07.08.2018/3P-5C/