

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.15767 of 2011
and
M.P.No.1 of 2011

N.Sampathkumar

... Petitioner

Vs.

1.The Collector-cum-Regional Transport
Authority,
The Nilgiris.

2.The Regional Transport Officer,
The Nilgiris.

3.The District Forest Officer,
Forest Department,
Mudumalai, The Nilgiris.

4.The District Superintendent of Police,
The Nilgiris.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus, to direct the first respondent herein, the Collector-cum-Regional Transport Authority, The Nilgiris to implement the Notification RC 31901/2009(C3) dated 31.05.2010 published in the Nilgiris District Gazette dated 31.05.2010 permitting the petitioner to operate his Tourist Maxi Club vehicles bearing Registration No.KA-55322 and KA 55871 to Ooty from Mysore to Ooty (via) Thalakunda Theppakadu Road (via) Kallahatty during the hours as notified in the Nilgiris District Gazette dated 03.06.2010.

For Petitioner : No appearance

For Respondents: Mr.M.D.Ilayaraja
Government Advocate for R1, 2 & 4
Mr.S.Prabhu
Additional Government Pleader
(Forest) for R3

O R D E R

No representation on behalf of the learned counsel for the petitioner today. Though this case was listed under the caption for dismissal.

2.The petitioner has challenged the impugned notification restraining the vehicular traffic from 10.00 pm to 6.00 am on the Thalaikundah - Theppakkadu Road (via) Kallatty and Thorapalli - Theppakkadu - Kakkanallah Road (N.H.67).

3.The impugned notification has been issued in public interest considering the dangers involved in travelling on these roads at night in the interest of public safety and convenience and in order to protect the wild life and to preserve its peaceful habitat, particularly keeping in mind the nocturnal animals peaceful habitat and danger posed to the various species including rare species. There is no merits in the present writ petition.

4.Therefore, this writ petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Collector-cum-Regional Transport
Authority, The Nilgiris.

2.The Regional Transport Officer,
The Nilgiris.

3.The District Forest Officer,
Forest Department,
Mudumalai, The Nilgiris.

4.The District Superintendent of Police,
The Nilgiris.

+1 cc to The Special Government Pleader Sr.No. 12534

W.P.No.15767 of 2011
and

M.P.No.1 of 2013

PMK (CO)
RMP (01/04/2021)