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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.07.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.20680 of 2014

The Tamil Nadu Stone Quarry Lease
Holders Welfare Association
Rep. by its Secretary
Mr.R.Jayaraman
Having Office at
No.20, Duraisamy Pillai Street,
Tambaram West, Chennai - 600 045

...Petitioner

Versus

1. The Transport Commissioner
Department of Transport,
Chepauk, Chennai - 600 005.
2. The Director General of Police,
Chennai - 600 005.
3. The Home Secretary,
Home Department,
Secretariat, St.George Fort,
Chennai - 600 009.
4. The Secretary,
Transport Department,
Secretariat, St.George Fort,
Chennai - 600 009.
5. The Commissioner of Police,
Greater Chennai,
Office of Commissioner of Police,
Vepery, Chennai.
6. The Director,
Vigilance and Anti-Corruption,
NCB - 21 - 28, P.S.Kumarasami Raja Salai,
Raja Annamalaipuram,
Chennai - 600 028.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents to consider the representation made by the



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petitioner to all the respondents dated 15.07.2014 and consequently, to direct the first respondent to take action against the lorry owners who illegally overload their vehicles.

For Petitioner : Mr.Rupert J.Barnabas
for Mr.S.Madhusdanan

For Respondents 1to6: Mr.G.Krishnaraja,
Government Advocate

O R D E R

This writ petition has been filed seeking a mandamus directing the first respondent to take action against the lorry owners, who illegally overload their vehicles by considering the petitioner's representation dated 15.07.2014.

2.Upon notice, the respondents filed a detailed counter affidavit, inter alia stating that upon considering the representation of the petitioner dated 15.07.2014, action taken report regarding the curbing of overload by goods in goods carrier has been sent to the petitioner vide communication bearing no.38604/H3/2014 dated 11.08.2014. It is further stated therein that the action is being taken to eradicate the complaints received from various Federation of goods carriages and all the Regional Transport Officers in Tamil Nadu are strictly instructed to control completely the overload menace without giving any room for complaints vide letter no.16224/H3/2014 dated 30.06.2014 and the overload by goods are now under control.

3.Today, when the matter was taken up for consideration, the learned counsel for the petitioner submitted that the relief sought by the petitioner has become infructuous and hence, nothing survives for further adjudication in this writ petition. However, the learned counsel sought liberty to the petitioner to approach the authority concerned, if the same cause of action continues.

4.Granted such liberty to the petitioner, this writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

mrr



To

1. The Transport Commissioner
Department of Transport,
Chepauk, Chennai - 600 005.
2. The Director General of Police,
Chennai - 600 005.
3. The Home Secretary,
Home Department,
Secretariat, St.George Fort,
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+1cc to the Government Pleader, S.R.No.34764

W.P.No.20680 of 2014

KV(CO)
RGA(17/09/2021)