

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 29.09.2021

CORAM:

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

W.P.No.6842 of 2016
and WMP No.6093 of 2016

Maruthi Educational Trust
represented by S.Ilavarasu
Its authorized Signatory
Manivizhudan South (PO),Attur Taluk
Salem District.

.. Petitioner

Vs

- 1.The Government of India,
represented by its Secretary
Department of Road Transport and Highways
Ministry of Shipping, Road Transport and Highways,
New Delhi.
- 2.National Highways Authority of India,
represented by its Chairman,
G-5 & 6 Sector-10
Dwaraka, New Delhi 110075
- 3.The Project Director,
National Highways Authority of India,
212-3/D3-1 Srinagar Colony
Narasothipatti, Salem 636 004
- 4.Su Toll Road Pvt. Ltd.,
rep. By its Manager,
Nathakarai Toll Plaza NH-79
Nathakarai, Salem District,
Tamilnadu.

.. Respondents

PRAYER: This Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of Writ of Declaration to declare that the benefit of paragraph 5(b)(iii) of the Notification of the 1st respondent in S.O.882(E) dated 30.03.2009 is available to the "Educational Institutional" buses more specifically mentioned in the schedule hereunder as defined in section 2(11) of the Motor Vehicles Act and not only for "School Buses".

The Schedule
TN.33 BB 8939
TN.33 BB 8956
TN.33 BB 8946
TN.54 Y 3606
TN.33 BB 8919
TN.25 1535
TN.30 X 2310
TN.33 BB 8937

For the Petitioner : Mr.S.Sivashanmugam

For the Respondents : Mr. Adhithyaraj for
M/s.P.Wilson Associates for R3

O R D E R

The issue raised in the present writ petition are no more res integra. The judgment passed by this Court in connected W.P.No.29796 of 2012 on 14.12.2012 was confirmed by the Hon'ble Division Bench of this Court in W.A.No.560 of 2014 on 25.04.2014 and thereafter by the Hon'ble Supreme Court on 06.05.2016. Thus, no further adjudication needs to be entertained. Accordingly, the writ petition stands disposed of. No costs. Consequently connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

RAP/RR

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,
Dwaraka, New Delhi 110075.

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

+1cc to M/s.P.Wilson Associates, Advocate Sr No.51196

W.P.No.6842 of 2016

PA (CO)
PR (18/10/2021)