



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.01.2021

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.18060 of 2020

C.Sathaiah,
Vice President,

State Lorry Owners Federation,

Tamil Nadu, Having Registration No.60/1987

Having Office at No.112/231, East Marret Street,

Madurai - 625 001.

... Petitioner

Vs.

The Principal Secretary/Transport Commissioner,

Transport Department, Chepauk,

Chennai - 600 005.

... Respondent

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to issue circular to all the Regional Transport Authority in the State of Tamil Nadu regarding the fitment of Speed Limiting Devices to the vehicles(lorries) on the basis of "Clarification and Direction" issued by this Court vide W.P.(MD)No.5441 of 2020 dated 19.08.2020 within a time stipulated as prescribed by this Court.

For Petitioner : Mr.VS.Karthi

For Respondent : Mr.Chellapandian,
Additional Advocate General,
assisted by,
Mr.G.Arjunan,
Government Advocate.

* * *

O R D E R

Heard the learned counsel appearing for the petitioner and the learned Additional Advocate General appearing for the respondent.

2. The grievance projected by the petitioner has since been redressed by the issuance of Circular No.56 of 2020 dated 28.12.2020 issued by the Additional Chief Secretary/Transport Commissioner, Chepauk, Chennai, which reads as follows:-

"In continuation of the references cited, the following instructions may be instructed to issue for the fitment of Speed Governor/Speed Limiting Device in Transport Vehicles.

NIC has already developed a web based system for the type approved agency SLD/Speed



Governor with specific vehicle through VAHAN data base for the respective vehicle model. The portal is also readily available to all SLD/Speed Governor device manufacturers.

In case of Transport Vehicles already fitted with SLDs which are in working condition, the Calibration/Validation Certificate is not required at the time renewal of fitness certificate.

Further, in cases where Speed Limiting Function(SLF) is already provided by the manufacturer at the time of manufacture of the vehicle, the requirement of AMC/Calibration Certificate for Speed Limiting Functions need not be insisted as per the reference 4th cited.

The RTO/MVIs are instructed to verify the SLD/Speed Governor and ensure that the retrofitted SLDs have unique identity for each vehicle on VAHAN portal.

The above instructions are to be strictly followed by all the inspecting officials at the time of fitness inspection. During the course of regular check it should be ensured that the Speed Governors(SLD/SLF) are functioning as per the speed norms fixed by the Government.

This Circular shall come into force with immediate effect."

3. Recording the said development, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To:

The Principal Secretary/Transport Commissioner,
Transport Department, Chepauk,
Chennai - 600 005.

WEB COPY

+1 CC to SGP (SR-1648[F] dated 21/01/2021)

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NR (01/02/2021) 3P : 3C