



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.06.2022

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.NOS.6000 & 6001 OF 2022

P.Selvamani

... Petitioner in
W.P.No.6000/2022

S.P.Manibarath

... Petitioner in
W.P.No.6001/2022

Vs.

1. The Secretary to Government,
Transport Department,
Fort St. George,
Chennai - 600 009.
2. The District Collector,
Namakkal District.
3. The Managing Director,
Tamil Nadu State Transport Corporation,
12, Ramakrishna Road,
Salem - 636 007.
4. The Regional Transport Officer,
Tiruchangode Road,
S.P. Office Backside,
Namakkal.
5. The Branch Manager,
Tamil Nadu State Transport Corporation,
Rasipuram.

... Respondents in
both W.Ps.

Writ Petitions filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondents to follow Fixed Time after proper Time Meeting.



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For Petitioner
in both W.Ps.

: Mr.Ali Hassan Khan

For R1, R2 & R4
in both W.Ps.

: Mr.S.John J.Raja Singh
Additional Government Pleader

For R3
in both W.Ps.

: Mr.D.Venkatachalam

C O M M O N O R D E R

These Writ Petitions have been filed by the petitioners, to direct the respondents particularly the third respondent in the respective Writ Petitions to follow the fixed time after conducting a proper Time Meeting between the respective petitioners and the third to fifth respondents.

2. It is the specific case of the petitioners that the third respondent are operating the buses in violation of time schedule and the petitioners are not able to take required number of passengers for running the buses profitably. It is case of the petitioners that buses of third respondent depart few minutes prior to the schedule of the petitioners' buses by either delaying their scheduled departure time and/or departing earlier than the scheduled departure time.

3. The fourth respondent has filed their counter affidavit and has stated that there is no timing violation by the buses run by the third respondent. A reference was made to Section 87 (2) of the Tamil Nadu Motor Vehicle Act, 1988.

4. Heard both side counsels and perused the affidavits filed in support of these Writ Petitions and the counter affidavit filed by the fourth respondent.

5. The dispute of fact as to what time the buses of the third respondent are plying in violation of the route permit to the petitioner cannot be determined in a Writ Proceedings.

6. However, with a view to ensure that there are no such violations, the third respondent may take steps to install modern gadgets including Global Positioning System (GPS) in their buses and maintain a log sheet for the benefit of persons like the petitioners who are the private bus operators. Such information should be hosted in a Website for viewing by the private bus operators.



7. Therefore, the third respondent is directed to evolve the system by installing Global Positioning System (GPS) in their buses, whereby, the movements of their buses are captured, recorded and tracked and such informations are available in their website for the benefit of common public and also the private bus operators. This exercise shall be carried out by the third respondent within a period of six months after getting necessary sanction internally for the expenses in connection therewith.

8. These Writ Petitions stand disposed with the above directions. No cost.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary,
Transport Department,
Fort St. George, Chennai - 600 009.
2. The District Collector,
Namakkal District.
3. The Managing Director,
Tamil Nadu State Transport Corporation,
12, Ramakrishna Road, Salem - 636 007.
4. The Regional Transport Officer,
Tiruchangode Road,
S.P. Office Backside, Namakkal.
5. The Branch Manager,
Tamil Nadu State Transport Corporation,
Rasipuram.

+2ccs to Mr.Ali Hassan Khan, Advocate, S.R.No.37733, 37734
+1cc to Mr.D.Venkatachalam, Advocate, S.R.No.36793
+1cc to the Government Pleader, S.R.No.37165

W.P.Nos.6000 & 6001 of 2022

EV(CO)
PM/06/07/2022