



WEB COPY



W.P.No.32725 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

W.P.No.32725 of 2022

The Tamilnadu Nursery Primary Matriculation
Higher Secondary Schools Association
Rep by its State Secretary
Mr.K.R.Nandakumar
having office at No.6
Egambaram Street,
Pammal, Chennai-600 075

...Petitioner

Vs.

1.The Principal Secretary
Department of Transport
Fort St.George,
Chennai-600 009

2.The Transport Commissioner
Chepauk, Chennai-600 005

3.The Regional Transport Officer
Kancheepuram

... Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India
praying to issue a Writ of mandamus directing the 1st respondent to extend
the period by one year for compliance of condition of installation of Reverse
Camera (fixing at rear end) in every school bus prescribed under the Tamil
Nadu Motor Vehicles (Regulation and Control of School Buses) Special



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Rules, 2012 amended as by the G.O.Ms.No.728, Home (Transport0VII)
dated 29.09.2022.

For Petitioner : Mr.D.Baskar

For Respondents : Mrs.R.Anitha, SplG.P.

ORDER

Writ petition is filed seeking a direction to the 1st respondent to extend the period by one year for compliance of condition of installation of Reverse Camera (fixing at rear end) in every school bus prescribed under the Tamil Nadu Motor Vehicles (Regulation and Control of School Buses) Special Rules, 2012 amended as by the G.O.Ms.No.728, Home (Transport0VII) dated 29.09.2022.

2. The petitioner is an association of the Nursery Primary Matriculation Higher Secondary Schools having more than 500 schools as members of the association. The Government of Tamil Nadu framed a special rule called the Tamil Nadu Motor Vehicles (Regulation and Control of School Buses) Special Rules, 2012 vide G.O.Ms.No.727 Home(Tr.VII) Department dated 30.09.2012.



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3. When the matter stood thus, G.O.Ms.No.728, Home(Tr.VII) Department dated 29.09.2022 was passed wherein amendment to the Tamil Nadu Motor Vehicles (Regulation and Control of School Buses) Special Rules, 2012 was made by inserting Sub Clause 17 to the Rules, which requires the cameras shall be fixed at the rear end in such a manner that the driver while taking reverse would have a complete view of the rear side.

4. According to the petitioner the cut off date has been fixed to implement the G.O before 14.11.2022. Therefore, there is a difficulty in securing the cameras within the time limit fixed by the Government. Accordingly, one year time is sought to be extended.

5. Considering the nature of the issue the very amendment was brought to prevent the death of the young kinder garden children in accident caused by school buses. In such view of the matter, the petitioners who are running the schools will have to take care of the safety of the children, particularly with regard to their life and limb. In such view of the matter, as the amendment has got a noble cause to prevent the accident occurring to the young children, this Court is of the view that one year time



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as sought for the petitioner cannot be granted and utmost considering the nature of the prayer and the number of buses plying all over the State three months time is extended from today to implement the Government Order.

With the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

06.12.2022

kpr
Internet:Yes
Speaking/Non-speaking order

To
1.The Principal Secretary
Department of Transport
Fort St.George,
Chennai-600 009

2.The Transport Commissioner
Chepauk, Chennai-600 005

3.The Regional Transport Officer
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N. SATHISH KUMAR, J.

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