



WP No.13283 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.08.2023

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA , CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESAVALU

WP No.13283 of 2023

S.Kumara Doss

... Petitioner

-VS-

1. Director General of Police,
Dr.Radhakrishnan Salai Road,
Mylapore, Chennai 600 004.
2. Commissionerate of Transport and Road
Safety, Ezhilagam, Chepauk,
Chennai 600 005.
3. Additional Commissioner of Traffic Police,
Commissioner of Police Traffic Planning,
Vepery, Chennai 600 007.
4. Joint Commissioner of Police Traffic Wing
(North), Commissioner of Police,
Vepery, Chennai 600 007.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for
issuance of a Writ of Mandamus directing the 3rd and 4th



WP No.13283 of 2023

respondents to implement the communication of the 2nd respondent dated 21.12.2022 in respect of enforcing lane driving regulations on the roads of Chennai City Traffic Limits, as per the Section 119/117 of Motor Vehicles Act, 1988 and scrupulously follow the Rules of the Road Regulations, 1989 under Section 18 "Driving on Channelized roads (lane traffic)".

For the Petitioner : Mr.M.Devaraj

For the Respondents : Mr.K.M.D.Muhilan
Addl. Govt. Pleader

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ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.M.Devaraj, learned counsel for the petitioner and Mr.K.M.D.Muhilan, learned Additional Government Pleader, for the respondents.

2. The learned counsel for the petitioner submits that the second respondent communicated the third and fourth respondents



WP No.13283 of 2023

under communication dated 21.12.2022 to enforce lane driving for better traffic management such that vehicles of different class/categories are assigned to travel in specific lane of road. The respondents are not abiding the same.

3. The learned Additional Government Pleader submits that at each and every place in the city of Chennai, dedicated lanes for a particular category of vehicles would not be feasible. There are various CMRL works in progress in the city. Traffic diversions as well as one-way system has been implemented in many stretches. Under the Smart City Project, the Highways Department has planned six works to be conducted at various locations. Additional six more bridges are being constructed at several significant locations in Chennai. The lane discipline is being enforced and fines are being imposed and collected.

4. Regulation 6 of the Motor Vehicles (Driving) Regulations, 2017, prescribes that where any road is marked by lanes for movement of traffic, the driver shall drive within the lane, and change lanes only after giving a proper signal or road marking or



WP No.13283 of 2023

signage. It further provides that where any lane is marked specially for a class of vehicles, the vehicles of that class shall drive in that lane only.

5. Traffic management is the job of the police department. They are best suited to manage the traffic and maintain the traffic discipline so also the lane discipline. The second and fourth respondents have filed their affidavits. The affidavits say that the authorities, only after taking into account various aspects including the width of the road, traffic level, maintenance, specifically earmark a particular lane for the movement of a particular class of vehicles. Unless and until such specific marking is done with respect to the lane, there is no legal bar for any class of vehicles to use any lane in the road. The affidavits further state that specific marking of lane for use of particular class of vehicles cannot be done throughout the city of Chennai since the same depends on various aspects with respect to the width of the road, traffic, consequences of implementing various road projects, including construction of overbridge, widening of road, construction of storm water drain, laying of various underground cables and so on.



WP No.13283 of 2023

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6. It appears that under the Smart City Project, the Highways Department has planned six works to be conducted in various locations in the city of Chennai so also the one-way system exists on various roads.

7. Traffic management, no doubt, is a complex issue wherein a greater efficiency would be required to maintain the same. No doubt, the authorities would be required to consider the various aspects of the matter. We cannot expect the marking of lane for different vehicles at congested places and/or the places where there is overcrowding. However, it is also the duty of the traffic police to regulate the traffic in a manner that a citizen does not have to undergo hassles and that the offending vehicles are being properly penalised and action is taken against them. The respondent authorities are duty bound to take steps for smooth movement of the traffic and the vehicles. The action being taken against the vehicles jumping the lane and flouting the traffic rules shall be continued so



WP No.13283 of 2023

that it would be a deterrent for those who are violating the traffic discipline and rules.

With these observations, the writ petition is disposed of. There will be no order as to costs.

(S.V.G., CJ.)

(P.D.A., J.)

01.08.2023

Index : Yes/No

Neutral Citation : Yes/No

sra

To

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WP No.13283 of 2023

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(sra)

WP No.13283 of 2023

01.08.2023