



WEB COPY

W.P.Nos.10939 & 10940 of 2008



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.08.2024

CORAM :

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

W.P.Nos.10939 & 10940 of 2008
and M.P.Nos.1,1,2,2 & 3 of 2008

Tamil Ponni Export Enterprises,
Rep. by its Proprietrix
Geetha Muralidharan,
Through its authorised signatory
S.S.Vijai,
60/30, Aruna Nagar,
Aluthurai Road,
Thiruchirappalli

... Petitioner in
both W.Ps.

-Vs-

1. The Government of India,
Rep. by its Secretary,
Ministry of Surface & Road Transports,
New Delhi.
2. The Government of India,
Rep. by its Secretary,
Ministry of Commerce & Industry,
New Delhi.
3. The State Government of Tamilnadu,
Rep. by its Secretary,
Home (Transport-I) Department,
Fort St. George, Chennai – 600 009.
4. The Transport Commissioner/
State Transport Authority,
Chepauk, Chennai – 600 005.

... Respondents in
both W.Ps.



Prayer in W.P.No.10939 of 2008 :- Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari, calling for the records relating to the impugned government order in G.O.Ms.No.342 dated 12.03.2008 of the third respondent herein and to quash the same with reference to the batter operated vehicles with engine capacity of less than 25CC by the petitioner.

Prayer in W.P.No.10940 of 2008 :- Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Declaration, declaring that the Rule 2(U) of the Central Motor Vehicles Rule, 1989 as null and void with reference to the import of the Battery operated vehicles with engine capacity of less than 25CC by the petitioner.

In both WPs.

For Petitioner : No appearance

For Respondents

For R3 & R4 : Mr.V.Manoharan
Additional Government Pleader

COMMON ORDER

These Writ Petitions have been filed challenging the order dated 12.03.2008 passed by the third respondent in G.O.Ms.No.342 Home (Transport-I) Department, and to declare the Rule 2(U) of the Central Motor Vehicles Rule, 1989 as null and void.



2. It is seen from the records that, on 20.12.2022, it was represented that the counsel on record was no more. Therefore, this Court directed the Registry to issue notice to the petitioner and post the matter on 30.01.2023. However, the notice sent to the petitioner was returned unserved with an endorsement “no such addressee”. Even today also, no one is represented on behalf of the petitioner either by person or through counsel.

3. Hence, both the Writ Petitions are dismissed for default. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

14.08.2024

Index : Yes/No

Speaking order/Non-speaking order

Neutral Citation : Yes / No

rts

To

1. The Secretary,
Government of India,
Ministry of Surface & Road Transports,
New Delhi.
2. The Secretary,
Government of India,
Ministry of Commerce & Industry,
New Delhi.



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rts

3. The Secretary,
State Government of Tamilnadu,
Home (Transport-I) Department,
Fort St. George, Chennai – 600 009.

4. The Transport Commissioner/
State Transport Authority,
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