



W.P(MD)No.8501 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.02.2024

CORAM :

**THE HONOURABLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
and
THE HONOURABLE MR.JUSTICE G.ILANGOVAN**

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M.Rajendran

... Petitioner

Vs.

- 1.The State of Tamilnadu
Rep. by the Chief Secretary,
Fort St.George,
Chennai - 600 009.
- 2.The Principal Home (Transport)
Secretary,
Government of Tamilnadu,
Secretariat - Chennai - 600 009.
- 3.The Director General of Police
Dr.Radhakrishnan Salai,
Chennai - 600 004.



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4. Additional Chief Secretary to
Government of Tamilnadu,
Transport Department,
Secretariat - Chennai - 600 009.

5. The Secretary
Transport Department,
Secretariat - Chennai - 600 009.

6. The Commissioner and State Transport Authority,
Ezhilagam,
Chennai – 600 005.

7. The Managing Director
Tamilnadu State Transport Corporation (Kumbakonam) Ltd.,
Railway Station Pudhu Road,
Kumbakonam - 612 001.

8. The Managing Director
Tamilnadu State Transport Corporation (Vilupuram) Ltd.,
No.3/137, Salamedu,
Valutha Redy Post,
Vilupuram – 605602.

9. The Managing Director
Tamilnadu State Transport Corporation (Madurai) Ltd.,
By-Pass Road,
Madakkulam,
Madurai - 10.



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10.The Managing Director

Tamilnadu State Transport Corporation (Salem) Ltd.,
No.12, Ramakrishna Road
Selam -7.

11.The Managing Director

Tamil Nadu State Transport Corporation (Coimbatore) Ltd.,
No.37, Mettupalayam Road,
Coimbatore - 43.

12.The Managing Director

Tamilnadu State Transport Corporation (Tirunelveli) Ltd.,
Tirunelveli District.

.. Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 1 to 3 respondents to initiate the criminal proceedings against the Chairman and the Managing Directors of the concern Jurisdictional Transport Corporation namely, 1. Tamil Nadu State Transport Corporation (Kumbakonam) Ltd., Kumbakonam 2. Tamil Nadu State Transport Corporation (Vilupuram) Ltd., Vilupuram 3. Tamil Nadu State Transport Corporation (Madurai) Ltd., Madurai 4. Tamil Nadu State Transport Corporation (Selam) Ltd., Selam 5. Tamil Nadu State



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Transport Corporation (Coimbatore) Ltd., Coimbatore. 6. Tamil Nadu State Transport Corporation (Tirunelveli) Ltd., Tirunelveli and all the erring officials those and involved in the dereliction and everyday of continuos cheating, fabrication false information continued to deceive the public for unlawful gain, under the name and style branding as “Express” themselves. Without any authority of law concerned for the derelict and continued cheating, deceiving the public, just for getting the illegal gain.

For Petitioner : Mr.M.Rajendran - (Party-in-Person)

For Respondents : Mr.J.Amjadkhan – for RR1, 2, 4 to 6

Government Advocate

Mr.E.Antony Sahaya Prabakar – for R3

Additional Public Prosecutor

Mr.S.C.Herold Singh – for R7

Mr.P.Prabhakaran – for R8

Mr.A.Jeyaram – for R9

ORDER

[Order of the Court was made by The Hon'ble CHIEF JUSTICE]

According to the petitioner/party-in-person, the respondent Corporation is running the transport buses and they are terming as an



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“Express”. If the bus in question is an express bus, then there has to be a single exit and entry. The respondents are not following the same. The restriction on number of stops in between the starting station and end station has also not been adhered to. The criteria is prescribed under the Rules as to the minimum distance between two stations. The same is also not followed. The fares are required to be displayed in each and every bus. However, the same has not been done.

2. The respondents are certainly required to abide by the provisions of the Act and Rules. Any deviation, therefore, shall attract penalty as contemplated under the provisions of the Act and Rules. The specific violations will have to be pointed out in that regard. The petitioner has already approached the respondents. The respondent authorities shall look into the representation of the petitioner and reply to the petitioner about the compliances made by the respondents. The said reply shall be given within a period of four months from today. Depending upon the reply, it is open for the petitioner to take further steps.



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3. With the aforesaid directions, the Writ Petition is disposed of. No costs.

[S.V.G., C.J.] [G.I., J.]
26.02.2024

Index : Yes / No
Neutral Citation : Yes / No
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G.ILANGO VAN, J.

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