



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-04-2026

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THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 7012 of 2020

and

W.M.P.No.8364 of 2020

Udhagai Sutrula Car / Sumo Ottunargal

Nala Sangam

Rep. by its President S.Govarthan,

No. 8B, Dr.Ambedkar Street, Kandal, Finger Post,

Udhagamandalam, Pin - 643 006

..Petitioner(s)

Vs

1. The Joint Secretary (T) North
Transport Bhawan, New Delhi.
2. The Principal Secretary
Transport Commissioner, Chepauk,
Chennai - 600 005
3. The Regional Transport Officer
Udhagamandalam, Nilgiris District.

..Respondent(s)

Prayer: This writ petition is filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus forbearing the 3rd Respondent herein from insisting for fitment of Speed Limiting Devices in the Four Wheelers belonging to the Members of the petitioner's Association, whose list is appended as Annexure to the writ petition, as per Proviso (iv) to Rule 118 of Central Motor Vehicles Rules, 1989.

For Petitioner(s):

Ms.J.Swetha
for Mr.K.Govi Ganesan

For Respondent(s):

Mrs.S.Anitha, Spl.GP.
Mr.R.Rajesh Vivekananthan,
Deputy Solicitor General of India for R1



ORDER

This writ petition has been filed to forbear the third respondent herein from insisting for fitment of Speed Limiting Devices in the Four Wheelers belonging to the Members of the petitioner's Association, whose list is appended as Annexure to the writ petition, as per Proviso (iv) to Rule 118 of Central Motor Vehicles Rules, 1989.

2. According to the petitioner, the petitioner's Association is a registered association under Tamil Nadu Societies Registration Act, 1978 to cater the protection and welfare of its members who are running cab services. Proviso (iv) of Rule 118 of Central Motor Vehicles Rules, 1989 stipulates that Speed Limiting devices is exempted for four wheelers which are used for carriage of passengers and their luggage, with seating capacity not exceeding eight passengers in addition to driver seat and not exceeding 3500 kilogram gross vehicle weight. Though the petitioner's association is exempted from fixing Speed Limiting Devices in the cars / Sumo in hill areas as per the said proviso, however without considering the petitioner's representation, the third respondent insisted the petitioner's association to fit the Speed Limiting Device, which is contrary to the aforementioned rules. Hence, the present writ petition has been filed seeking the aforesaid relief.



3. The learned counsel appearing for the respondents submits that no representation has been given to the third respondent / Regional Transport Officer and if any representation is submitted before him, the same will be considered and appropriate orders will be passed.

4. Heard the learned counsel for the petitioner, learned Special Government Pleader appearing for the respondents 2 and 3 and the learned Deputy Solicitor General of India and perused the materials available on record.

5. Considering the limited relief sought for by the learned counsel for the petitioner, this Court directs the third respondent to consider the petitioner's representation as per the existing Rules and pass appropriate orders within a period of eight (8) weeks from the date of receipt of a copy of this order after affording an opportunity of personal hearing to the petitioner and aggrieved persons, if any on merits and in accordance with law.

6. With the above observation and directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition stands closed.

16-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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KRISHNAN RAMASAMY, J.

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To

1. The Joint Secretary (T)
North Transport, Bhawan, New Delhi.
2. The Principal Secretary,
Transport Commissioner, Chepauk, Chennai 600 005.
3. The Regional Transport Officer,
Udhagamandalam, Nilgiris District.

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