



W.P.Nos.29475 and 30000 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.06.2026

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.29475 and 30000 of 2013

And

M.P.Nos.1 & 2 and 1 & 2 of 2013

Chennai Parcel Lorry Owners Welfare Association (Regd),
Represented by its President Mr.B.V.Reddy,
Office at First Floor, No.1/3 Kandappa Chetty Street,
Chennai – 600 001. ... Petitioner in W.P.29475/2013

Chennai Perunagar Loading
Unloading and General Workers
Union, rep. by its General Secretary,
Bhagat House,
Old No.48, New No.204,
Prakasam Salai,
Chennai – 108. ... Petitioner in W.P.30000/2013

Vs.

- 1.The Principal Secretary to Government,
Home – Department – Fort St.George – Chennai – 9.
- 2.The Member Secretary – CMDA,
Thalamuthu Nadarasan Building – Egmore – Chennai.
- 3.The Commissioner of Police – Greater Chennai,
Office of the Commissioner of Police,
Egmore, Chennai – 600 008.
- 4.The Addl. - Commissioner of Police – Traffic,
Office of the Addl. – Commissioner of Police,
P.H.Road, Kilpauk – Chennai – 600 010.



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5.The Joint Commissioner of Police – Traffic (North)
Poonamallee High Road, Kilpauk,
Chennai – 600 010.

6.The Deputy Commissioner of Police – Traffic (North)
Poonamallee High Road, Kilpauk,
Chennai – 600 010.

7.A.Jalaludeen
(R7 impleaded vide order dated 07.04.2021
made in MP.3/2013 in WP.29475/2013 by DKKJ)

8.Mahfuzkhan Garden Muhalla Residents Welfare Association,
Represented by its President
D.Kareem Ahamed
(R8 impleaded vide order dated
07.04.2021 made in MP.4/2013 in
WP.29475/2013 by DKKJ) ... Respondents in W.P.29475/2013

1.The Government of Tamilnadu
Rep. by its Secretary, Home (Transport.V)
Department, Fort St.George,
Chennai – 9.

2.The Commissioner of Police
Office of the Commissioner of Police
Greater Chennai,
Chennai – 7. ... Respondents in W.P.30000/2013

Prayer in W.P.No.29475 of 2013:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, call for the records of the third respondent from Gazette notification dated 02.10.2013 (RC.No.Tr.Imp.1(2)/037/0724/2013) reference to Notification in RC.No.Tr.Imp.I(2)-037/0724/2013 dated 19.09.2013 passed by the third respondent, and quash the same and consequently directing the



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third respondent to carry out the restrictions in G.O.Ms.No.1182-dated 24.08.1999 till the disposal of the representations dated 01.02.2013 and 31.01.2013 pending before the 1st and the 2nd respondents.

Prayer in W.P.No.30000 of 2013:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus after calling for the records pertaining to the R.C.No.Tr.Imp-I(2)/037/0724/2013, dated 19.09.2013 and published and notified in the Tamilnadu Government Gazette No.39, dated 02.10.2013 under Part-VI Section 1, quash the same and consequently direct the respondents to restore the timings fixed by them in G.O.Ms.No.1182 Home (TR.V) Department dated 24.08.1999 for the 9 streets concerned and not to alter the timings fixed in G.O.Ms.No.1182, Home (TR.V) Department, dated 24.08.1999 without any reliable study, data or material and also without giving a hearing to all concerned and without getting their views/ suggestions.

For Petitioners : Mr.R.Karthikeyan
in W.P.No.29475 of 2013
Ms.H.Nandhini
for M/s.R.Krishnaswamy
in W.P.No.30000 of 2013

For Respondents : Mr.M.Sivavarthanan for R1, R3 to R6
Government Counsel
R2 – No Appearance
in W.P.No.29475 of 2013
Mr.M.Sivavarthanan for R1, R2
Government Counsel
in W.P.No.30000 of 2013



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COMMON ORDER

W.P.No.29475 of 2013 has been filed seeking issuance of Writ of Certiorarified Mandamus, call for the records of the third respondent from Gazette notification dated 02.10.2013 (RC.No.Tr.Imp.1(2)/037/0724/2013) reference to Notification in RC.No.Tr.Imp.I(2)-037/0724/2013 dated 19.09.2013 passed by the third respondent, and quash the same and consequently directing the third respondent to carry out the restrictions in G.O.Ms.No.1182-dated 24.08.1999 till the disposal of the representations dated 01.02.2013 and 31.01.2013 pending before the respondents 1 and 2.

2.W.P.No.30000 of 2013 has been filed seeking issuance of Writ of Certiorarified Mandamus after calling for the records pertaining to R.C.No.Tr.Imp-I(2)/037/0724/2013, dated 19.09.2013 and published and notified in the Tamilnadu Government Gazette No.39, dated 02.10.2013 under Part-VI Section 1, quash the same and consequently direct the respondents to restore the timings fixed by them in G.O.Ms.No.1182 Home (TR.V) Department dated 24.08.1999 for the 9 streets concerned and not to alter the timings fixed in G.O.Ms.No.1182, Home (TR.V) Department, dated 24.08.1999 without

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any reliable study, data or material and also without giving a hearing to all concerned and without getting their views/ suggestions.

3.Since the issue involved in both the writ petitions are similar in nature, they are heard together and disposed of by way of common order.

4.The learned counsel appearing for the petitioner in W.P.No.29475 of 2013 submitted that there are more than 3500 employees engaged in the business of loading and unloading parcel service and if the restriction as per the impugned notification, i.e., restricting the time for plying heavy vehicles from 7 hours to 22 hours is given effect to, the employees are likely to lose their employment since no vehicle could be loaded and unloaded before 7 hours.

5.The learned counsel appearing for the petitioner in W.P.No. 30000 of 2013 submitted that earlier the time for plying heavy vehicles was restricted from 10 hours to 20 hours and the workers involved in loading and unloading did their job till 10 hours and hence, the impugned notification restricting the time for plying heavy vehicles



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from 7 hours to 22 hours, that too without proper study is not sustainable one.

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6.The learned Government Counsel submitted that based on the order of this Court in W.P.No.34032 of 2012, the Commissioner of Police, Greater Chennai, forwarded a proposal to the Government to consider and change the time restrictions for plying of heavy vehicles, for which, the Government replied that the power vest with the Commissioner of Police in respect of the area / road coming within his jurisdiction vide G.O.Ms.No.793 dated 21.08.2001 and thereafter the Commissioner of Police, Greater Chennai, passed the impugned notification restricting the entry of vehicles between 7 hours to 22 hours inorder to avoid the traffic congestion on roads coming under C5-Kothavalchavadi Police Station Limit.

7.Heard both sides and perused the materials available on record.

8.The petitioners are lorry owners association and loading, unloading and general workers union. The grievance of the petitioners is that earlier the time for plying heavy vehicles was restricted from 10



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hours to 20 hours and the workers involved in loading and unloading were able to do their job till 10 hours, however, the impugned notification restricts the time for plying heavy vehicles from 7 hours to 22 hours and the workers are likely to lose their employment since they could not load and unload the vehicles before 7 hours.

9.However, the impugned notification was issued considering the light vehicles population and two wheeler population during the day time and such restriction was made based on experts opinion and this Court cannot act as a substitute to defer the restriction. Further, in the absence of any interim order, such restriction movement was operated and the same cannot be disturbed after a lapse of more than ten years. Hence, the relief sought for in these writ petitions cannot be granted.

10.The writ petitions are dismissed. No costs. Consequently, the connected miscellaneous petitions are closed.

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Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

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Office of the Commissioner of Police,
Egmore, Chennai – 600 008.
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- 5.The Joint Commissioner of Police – Traffic (North)
Poonamallee High Road, Kilpauk,
Chennai – 600 010.
- 6.The Deputy Commissioner of Police – Traffic (North)
Poonamallee High Road, Kilpauk,
Chennai – 600 010.
- 7.The Secretary, Home (Transport.V)
Department, Fort St.George,
Chennai – 9.
- 8.The Commissioner of Police
Office of the Commissioner of Police
Greater Chennai,
Chennai – 7.



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