



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-06-2026

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THE HON'BLE MR.JUSTICE HEMANT CHANDANGOUDAR

WP No. 36604 of 2015

and M.P.No. 1 of 2015

Bharathiyar Arts & Science
College for Women Rep. by its Secretary,
Deviakurichi, Attur Taluk, Salem District

..Petitioner(s)

Vs

1. The Government of India,
Rep. by its Secretary, Department of Road
Transport and Highways, Ministry of Shipping,
Road Transport and Highways, New Delhi
2. National Highways Authority
of India, rep. by its Chairman, G-5 & 6,
Sector-10, Dwaraka, New Delhi - 110 075
3. The Project Director,
National Highways Authority of India, Project
Implementation Unit, VSA Commercial
Complex,9-11, Omalur main Road, Salem - 636
004
4. SU Toll Road Private Ltd
Nathakarai, Attur Taluk, Salem District - 636
112

..Respondent(s)



Writ Petition is filed seeking declaration, declaring that the benefit of Paragraph 6 (c) of the Notification of the 1st Respondent in S.O. 7(E), dated 13.01.2012 is available to all the educational institution buses of the Petitioner such as TN-27/A-7100, TN-27/J-2277, TN-54/X-4099, TN-54/Y-2699, TN-54/Y-2999, TN-54/Y-3399, TN-77/C-5784, etc, as defined in Section 2 (11) of the Motor Vehicles Act and not only for school buses.

For Petitioner(s): Mr. Kandhan Duraisami

For Respondent(s): R1 to R3 – No appearance

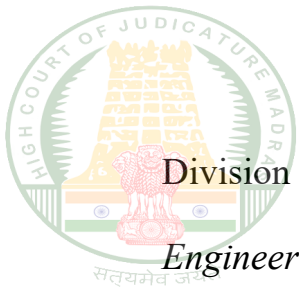
M/s.R.Maheswari – R4

ORDER

The petitioner has filed this writ petition seeking a declaration that Paragraph 6(c) of the Notification issued by the first respondent in S.O. 7(E), dated 13.01.2012, is applicable to the buses operated by the petitioner educational institution.

2. The petitioner contends that, under the said notification, toll fee concession has been extended to buses operated by schools. According to the petitioner, the buses operated by the petitioner college are also entitled to the same concession, but the benefit has been denied.

3. The issue raised in the present writ petition is no longer res integra. An identical issue came up for consideration before a Division Bench of this Court in W.A. Nos.50 to 58 of 2013, by judgment dated 18.01.2024, wherein the



Division Bench, while referring to its earlier decision in *Mahendra College of Engineering, Attur Main Road, Minnampalli, Salem and another v. Government of India* in W.A. No.560 of 2014 etc. batch, dated 25.04.2014, held that the notification grants a concession exclusively to school buses and that colleges cannot claim the benefit as a matter of right. The Division Bench further held that a school and a college are distinct institutions and, when the language of the notification is clear and unambiguous, the Court cannot enlarge its scope by interpretation.

4. In view of the authoritative pronouncement of the Division Bench, the relief sought by the petitioner cannot be granted. The issue stands concluded against the petitioner.

5. Accordingly, the writ petition is dismissed. Consequently, the connected miscellaneous petition is closed. There shall be no order as to costs.

29-06-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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Department of Road Transport and Highways,
Ministry of Shipping, Road Transport and
Highways, New Delhi.
2. National Highways Authority
of India, rep. by its Chairman, G-5 & 6,
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HEMANT CHANDANGOUDAR, J.

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