



SI No. 60

63

ROC.No.1121-A/2011/D3

Dated 09.03.2011

From

S.Vimala, B.Sc., M.L.,
Registrar General,
High Court, Madras-600 104.

To

Sir/Madam,



Sub:-Motor Vehicles - Use of Red Beacon Lights in
Official vehicles - Instructions issued - Reg.

Ref:- Order of the Hon'ble High Court, Madras in
W.P.No.5491/2011 and M.P.No.1/2011, dated 07.03.2011.

I am to invite your attention to the Orders of the Hon'ble High Court, Madras made in W.P.No.5491/2011 and M.P.No.1/2011, dt.07.03.2011 in the reference cited above, and to enclose herewith a copy of the same, and to request that the directions as stipulated therein may be strictly adhered to, and also to request that the same may be circulated immediately to the Judicial Officers in your Districts.

HIGH COURT, MADRAS
DATED:09.03.2011

Sd/- S.Vimala
REGISTRAR GENERAL

//True copy/forwarded/by order//

P. V. J. J.
SUB ASSISTANT REGISTRAR (AD-I)

To

- 1) The Principal Judge, City Civil Court, Chennai,
- 2) The Chief Judge, Court of Small Causes, Chennai,
- 3) All the Principal District Judges / District Judges in the State.

Circulate
to All J.Os. for strict
adherence.
11/3/11

Copy communicated to all the Judicial Officers
in Tiruchirappalli District.

District Court,
Tiruchirappalli.

Dated: 15.03.2011.

Sd/. B.Gokuldas,
Principal District Judge,
Tiruchirappalli.

/True copy / Forwarded/

To


CHIEF ADMINISTRATIVE OFFICER.

- 1) The I Addl. District Judge(PCR)
The presiding officer, Labour Court,
Addl. District Judge, Mahila Court,
Fast Track Court No.I & II, Tiruchirappalli.
- 2) All the Judicial officers in civil unit of
Tiruchirappalli District.
- 3) The Chief Judicial Magistrate, Tiruchirappalli
with request to communicate this to all the
Judicial Magistrates in Tiruchirappalli District.
- 4) The secretary, District Legal services Authority,
Tiruchirappalli.



SI No-63

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ROC.No.1121-A/2011/D3

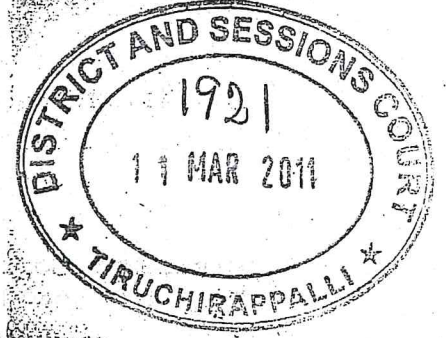
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Tiruchirappalli.

Sl. No. 63

**IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Special Original Jurisdiction)**

Monday, the Seventh day of March Two Thousand Eleven

PRESENT

THE HON'BLE MR. M. YUSUF IQBAL, THE CHIEF JUSTICE

AND

THE HON'BLE MR. JUSTICE T. S. SIVASUBRAMANIAM

WP No. 5491 of 2011

and MP No. 1 of 2011

D. KALAIARASU [PETITIONER IN BOTH THE PETITIONS]
**ADVOCATE, ROOM NO. 107, 1 ST FLOOR,
73-C ARTS COLLEGE ROAD, COIMBATORE 18**

Vs

1 THE DIRECTOR GENERAL OF POLICE, BEACH ROAD, CHENNAI [RESPONDENTS IN BOTH THE PETITIONS]

2 THE INSPECTOR GENERAL OF REGISTRATION, BEACH ROAD, CHENNAI

*** 3 SIVABANDI**
INSPECTOR GENERAL OF POLICE, WEST ZONE, COIMBATORE

*** 4 SYLWORA BASU**
COMMISSIONER OF POLICE, COIMBATORE

*** 5 ARUBA**
SUPERINTENDENT OF POLICE, TIRUPPUR

*** 6 JAYACHANDRAN**
SUPERINTENDENT OF POLICE, ERODE

7 PRINCIPAL DISTRICT JUDGE, COIMBATORE DISTRICT

8 DISTRICT MHSIF, UDUMALPET, COIMBATORE DISTRICT.

9 JUDICIAL MAGISTRATE UDUMALPET, COIMBATORE DISTRICT

ba 0066845

10. **MURUGESAN**
PRESIDENT, PETHAKOTTA PANCHAYAT,
INDIALPET, COIMBATORE DISTRICT.

11. **DISTRICT COLLECTOR**
COIMBATORE DISTRICT, COIMBATORE.

12. **THE DIRECTOR**
CENTRAL BUREAU OF INVESTIGATION,
CGO COMPLEX, LODHI ROAD, NEW DELHI

13. **PRINCIPAL SECRETARY TO**
GOVT. (HOME) TRANSPORT DEPARTMENT,
FORT ST. GEORGE CHENNAI.

14. **ARBITRAL TRIBUNAL**
1246, KRS. BUILDING, METTUPALAYAM ROAD,
COIMBATORE

15. **P. SRIDHAR, JUDGE,**
ARBITRATION TRIBUNAL,
TIRUPPUR

16. **ARBITRATORS ASSOCIATION OF**
TAMIL NADU, COIMBATORE 641 001.

17. **ALL INDIA OVERSEAS ARBITRATION COMMITTEE**
1246, MTR ROAD, NEAR SAIBABA TEMPLE,
COIMBATORE

18. **ALTERNATIVE DISPUTES**
REDRESSAL FORUM COM ARBITRATION TRIBUNAL,
10, 3RD FLOOR, INDIA TOWERS,
GOPALAPURAM, COIMBATORE.

R15 TO R16 IMPEACHED AND R7 TO R10 & R12
DELETED AND R3 TO R6 HAS BEEN ARRAYED
BY THEIR OFFICIAL CAPACITY AS PER ORDER
DATED 7/3/11 BY CJ/TSSJ IN WP 5491/11

Writ Petitions under Article 226 of the Constitution of India
praying that in these circumstances stated therein and in the respective
affidavits filed therewith the High Court will be pleased to

gratanture of a Writ of Mandamus directing a time bound court-
monitored investigation by the CBI into the 'FAKE-COURTS/ TRIBUNALS
SCAM' and the abatement thereof by respondents 3 to 6 during the past 4
years and obliterate all decrees and awards issued by the 'fake-courts
(in WP 5491/11)

ba 0066846

1. The issuance of an interim direction to respondents 1 to 7 to secure and produce before this Hon'ble Court, all records related to the narrative in this affidavit (including all decrees & awards issued by the fake tribunals) for judicial evaluation (in MR 1/11) pending WP No. 5491 of 2011 respectively.

Order: These petitions coming on for orders upon perusing the petitions and the respective affidavits filed in support thereof and upon hearing the arguments of M/S. MANIKANDAN NATHAN CHETTIAR, Advocate for the petitioner in both the petitions and of MR. G. SANKARAN, Special Govt. Pleader, Advocate for the Respondents 1 to 6, 11 in both the petitions the court made the following order:-

(Order of the Court was made by the Hon'ble the Chief Justice)

By this writ petition, it has been brought to our notice that many persons in the District of Coimbatore and other places in the State of Tamil Nadu are running parallel Courts in the garb of an Arbitral Tribunal.

2. The petitioner is permitted to add those institutions, firms or individuals who are running such parallel Courts or Tribunal as party respondents, in this writ petition. He may also implead the Principal Secretary to Government, Home (Transport) Department, Secretariat, Chennai-9 as party respondent to this writ petition. Let notice be issued to the newly added respondents.

3. The names of respondent Nos. 7, 8, 9, 10 and 12 are deleted, as they are not necessary parties. Respondents 3 to 6, who have been arrayed by their names, shall be deemed to have been impleaded in their official capacity and not in their personal capacity. Registry is directed to carry out the above in the causetitle both in the Writ Petition and the Miscellaneous Petition.

4. In this regard, we have also received a complaint from Coimbatore Bar Association about the illegal functioning of bogus Arbitration Tribunals at 1246, K.R.S. Building, Mettupalayam Road, Coimbatore as a parallel Court by many persons. It is stated that like Courts, they are entertaining applications, complaints/suits filed by one side and issue notices/summons and even passing ex parte decree and award.

5. We have also taken notice of the news item published today in the newspaper viz. 'The Times of India', wherein it is stated that those fake Arbitral Tribunals hear the matter at night as 'night courts' and have installed laser surveillance cameras. The paraphernalia,

ba 0066847

modelled on High Courts and the Supreme Court, is complete with ceremonial duffedars (pepoy) wearing red cross-belts escorting 'Judges'. They even bear a silver mace and 'silence' the gathering to announce the arrival of the 'Judge'. The Advocates appearing before the Bench are asked to address 'Judges' as 'My Lord' or 'Your Honour'. The 'Judges' use red beacon lights stop their cars bearing the board 'JUDGE'. Let the newspaper cutting be placed on record.

6. At the very outset, we hold that in a democracy like India, where there is Rule of Law, we shall not allow any person to run a parallel Court and decide the disputes by issuing notices/summons to the other side. The question with regard to the limitations as regards these Arbitral Tribunals is as to whether, if the parties with their joint consent refer any dispute to them for arbitration, to what extent they can go for adjudication of the disputes.

7. So far as the running of such institution like Courts and the duffedars wearing red cross-belts escorting the so-called "Judges" and the "Judges" using red beacon lights stop their cars are very serious matters. Here, we took notice that even Class Two officers are using red beacon lights stop their cars. Normally, it is the Governor, the Chief Minister, the Chief Justice and Judges of the High Court, Director General of Police and the Commissioner are entitled to use red beacon lights. Other than these dignitaries, other officials, if permitted under the Motor Vehicles Act, Rules and the Guidelines framed thereunder, can be allowed to use yellow light. But in no case, anyone can use red beacon light unless he is authorised by notification issued by the Central Government or State Government under the Act.

8. In course of arguments, the learned Special Government Pleader produced before us the letter issued by the Secretary to Government, Home (Transport) Department, Chennai, dated 05.6.2008 bearing Letter No. 46598/Transport/W/2008-1, giving the details of the dignitaries who can use red beacon light in their vehicles. They are as follows:-

1. The Governor
2. The Chief Minister
3. The Chief Justice and Judges of the High Court
4. The Speaker
5. The Mayor of all Corporations.
6. Ministers
7. The Director General of Police (confined to Chief)
8. The Commissioners of Police
9. Ambulances
10. Elite and Escort Vehicles
11. District Collectors

ba 0066848

12. The Superintendents of Police
13. The Range Deputy Inspector General of Police
14. State Election Commissioner
15. The Chairman, Tamil Nadu Public Service Commission
16. Director General of Police (A & O), Chennai
17. Inspector General of Police (A & O), Southern Zone at Madurai
18. Chairman and Member of the Advisory Board constituted under PWA and under Tamil Nadu Act 14/1982
20. Asghar Nawab Mohd. Abdul Ali

9. At this stage, we may take notice that in other States also, the Department of Home issued notifications authorising the dignitaries to use a red or yellow beacon light. For example, in the State of Jharkhand, the Government have issued notification on 12.6.2002, the relevant portion of which is quoted hereinbelow:-

I. Dignitaries who are entitled to use red beacon light atop the vehicle:-

1. Governor
2. Chief Minister
3. Chief Justice
4. Speaker-Assembly
5. Cabinet Minister
6. Leader of Opposition of Assembly
7. State Minister
8. Deputy Ministers
9. Honorable Judges, Jharkhand High Court
10. State Ministers
11. Lokayukta
12. Deputy Leader of Legislative Council
13. Leader of Opposition
14. Chief of the Ruling Party
15. Chief Secretary
16. Advocate General
17. Chairman - Public Service Commission
18. Chairman of Legislative Council
19. State Election Commissioner
20. Vehicle Used as piloting cars

XXIII. Dignitaries who have been authorised to use the yellow beacon light:-

ba 0066849

1. All Departmental Commissioners/ Secretary
2. Development Commissioner
3. Assistant General
4. Inspector General
5. Regional Inspector General
6. Transport Commissioner
7. Regional I.G.P.
8. Heads of Departments
9. District Judges
10. Assistant General
11. Deputy Commissioners
12. Divisioning Railway Heads
13. Treasury Officers
14.
15. District Officers
16. Inspectors of Police

10. Having regard to the misuse of red beacon lights by persons, who are not authorised to have such lights in their vehicles, we direct all those persons to remove the red beacon lights fixed atop their vehicles within two days from today, i.e. by 09th March 2011.

11. The Director General of Police is directed to immediately issue instructions to all the high police officials in Tamil Nadu to seize all those vehicles of the officers on the road after 09th March 2011, who are not entitled to use red beacon lights. We further direct the Director General of Police to hold a meeting within a day or two with all the high police officials and the Transport Commissioners and issue guidelines to that effect.

12. Further, all those institutions, firms or individuals, who are running such parallel Courts or Tribunal are hereby restrained from acting as "Courts".

13. Put up this case on 14.3.2011, as prayed for by Mr.G.Sankaran, learned Special Government Pleader, to enable him to produce the regulations regarding enforcement of the use of red beacon light. Since, it is a serious matter where some persons are running parallel "Courts", we request the media to just publish their names, as has been given by the petitioner, so that no further notice is required to be given for their appearance and they are supposed to appear on the next date fixed for hearing.

ba 0066850

14. We shall consider on the next day as to whether all the persons shown in the Tamil Nadu State Government Letter are entitled to use red beacon light in accordance with the provisions of the Motor Vehicle Act, Central and State Rules and the Guidelines issued by the Central Government.

15. Let a copy of this order be handed over to the learned Advocate General.

07/03/2011

/ TRUE COPY /

[Signature]
Sub-Assistant Registrar (Statistics) C.S.
High Court, Madras - 600 104.

1. THE DIRECTOR GENERAL OF POLICE, BEACH ROAD, CHENNAI
2. THE INSPECTOR GENERAL OF REGISTRATION, BEACH ROAD, CHENNAI
3. INSPECTOR GENERAL OF POLICE, WEST ZONE, COIMBATORE
4. COMMISSIONER OF POLICE, COIMBATORE
5. SUPERINTENDENT OF POLICE, TIRUPPUR
6. SUPERINTENDENT OF POLICE, ERODE
7. DISTRICT COLLECTOR COIMBATORE DISTRICT, COIMBATORE
8. PRINCIPAL SECRETARY TO GOVT. (HOME), TRANSPORT DEPARTMENT, FORT ST. GEORGE, CHENNAI.
9. ARBITRAL TRIBUNAL 1246, KES BUILDING, METTUPALAYAM ROAD, COIMBATORE

ba 0066851

SL no 63

10. P. SRIHAR, JUDGE

ARBITRATION TRIBUNAL,
TIRUPPUR.

11. ARBITRATORS ASSOCIATION OF
TAMIL NADU COIMBATORE 691 001.

12. ALL INDIA & GOVERNMENT ARBITRATION COMMITTEE
1246, NTP ROAD, NEER SAIKABA TEMPLE,
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GOPALAPURAM, COIMBATORE.

14. THE ADVOCATE GENERAL
HIGH COURT,
MADRAS 600 104

C.C. to N.S. MANIKANDAM VATHAN CHETTIAR Advocate on payment of
necessary charges

The Special Government Pleader, High Court, Madras - 104.

Order

in
WP. 5491/2011

& MP 1/2011

Date : 07/03/2011

From 26.03.2011 the Registry is issuing certified
copies of the Interim Orders in this format
07.03.2011

ba 0066852