

Issue copy to
all field staff.
Jddn
31/7/09

C2-Part file-19486-TC-08

Transport Commissionerate
Kerala, Thiruvananthapuram.
Dated: 22-07-09

2470/09

From

The Transport Commissioner
Thiruvananthapuram.

To

All D.T.Cs, R.T.Os and Jt.R.T.Os

Sir,

Sub: MVs Dept-Judgment of the Honorable High Court regarding Parking
of vehicles in public roads- instructions issued-reg.

- Ref: 1. Judgement of the Honorable High Court in MFA No.66/03.
2. This Office Circular No.-17/77, 12/79, 5/84, 21/98 and direction
No. C1/8710/TC/98 dated 26-09-98, MIT- 4/2185/TC/04 dated
06-05-2005 and C2-19486-TC-08 dated 01-06-09.
3. Intimation from R.T.O Alapuzha dated 22-7-09.

Vide reference 3rd cited, the R.T.O Alapuzha has forwarded the details regarding the accident occurred on 21-07-09 at Eramalloor, which resulted in the death of 3 persons and caused injury to another person. Such type of accidents resulted from the lack of effective enforcement of Motor Vehicles Act and Rules and various directions from the Head Office. The Officers concerned are not taking any stringent action to curb the road accidents, as it is a part of road safety. More over, the accidents are not seen reported in time to the Head Office, as instructed in the direction dated 06-05-2005.

In this connection, as per Section 122 of MV Act, "No person in charge of a Motor Vehicle shall cause or allow the vehicle or any trailer to be abandoned or to remain at rest on any public place in Such a position or in Such a condition or in Such circumstance as to cause or likely to cause danger, obstruction or undue inconvenience to other users of the public place or to the

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to the MV Act for urgent report

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passengers". It is needless to say that such unauthorised parking in the public places, roads, state and national highways had caused several accidents in the state, which resulted in the loss of life to several persons.

The Hon'ble High Court, while disposing a case in the MFA No. 66/2003 had observed deep concern in the matter and issued direction to prevent illegal parking of vehicles in public roads. Based on the direction in this judgment, this office had issued directions to take prompt action in this regard. But, it is regretted to say that only few of our officers had given due importance to this matter and as a result, the truck drivers and other vehicle owners are seen commonly violating the above provisions by parking the vehicles in a manner of causing danger to the other users of the road.

Hence it is hereby directed that enforcement Officers of the Department to strictly adhere with the said directions with out fail.

Yours Faithfully

[Handwritten signature]

Senior Deputy Transport Commissioner
(Taxation)

For Transport Commissioner

[Handwritten initials]