

In Re: P. Lakshmiah

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Court : Chennai

Decided On : Nov-09-1945

Reported in : AIR1946Mad175; (1945)2MLJ574

Appellant : In Re: P. Lakshmiah

Judgement :

ORDER

Kuppuswami Aiyar, J.

1. What is urged for the petitioner is that the offence under Rule 220 of the Motor Vehicle Rules, requires that the delay must be of such a character as to prevent the men from reaching the destination in time. That is not what is stated there. It is true a driver is expected to reach the destination in time. But what is made an offence is loitering on the road. According to the Concise Oxford Dictionary, 'Loitering' means lingering on the way or hanging about. In this case according to the finding of both the Courts, the driver was stopping the bus in front of a hotel so that he might pick up some passengers from there. This is certainly lingering on the way. It is not the petitioner's case that it was a stopping place at which he could stop for the purpose of taking passengers. Waiting for the passengers, who had gone to the hotel, for nearly 10 or 15 minutes is certainly lingering on the way and the petitioner is therefore guilty under Rule 220. It is certainly annoying to the other passengers in the bus if they are made to wait in front of a hotel like this merely to pick up passengers who are expected to come from the hotel and board

the bus. The petitioner was rightly convicted. In the circumstances of the case I should think the punishment is lenient. The petition is dismissed.

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