

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

TUESDAY, THE 17TH DAY OF MARCH 2015/26TH PHALGUNA, 1936

RP.No. 220 of 2015

JUDGMENT IN WP(C) 1527/2015 DATED 15.1.2015

REVIEW PETITIONER(S):

THE SECRETARY, REGIONAL TRANSPORT AUTHORITY
KANNUR

BY GOVERNMENT PLEADER SRI. R. RANJITH

RESPONDENT(S):

VIMALA C.
W/O.KUMARAN, RAM VILLA, KOYYADE
KANNUR 670621

BY SRI.O.D.SIVADAS

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 17-03-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

RP.No. 220 of 2015

APPENDIX

ANNEXURE

A-I- TRUE COPY OF THE SHOW CAUSE NOTICE NO.C2/7413/2013/C DATED
12.1.2015

//True Copy//

P.S. To Judge

K.VINOD CHANDRAN, J

R.P.220 of 2015

in

W.P.(C). 1527 of 2015

Dated 17th March, 2015

ORDER

The Review Petition is filed by the State contending that the non consideration of replacement application as projected by the petitioner in W.P.(C).1527 of 2015 was not on account of the vehicle being an older one. It is specifically contended that the writ petitioner had obtained clearance certificate on 25.11.2013 and there was a direction to produce a new vehicle within four months. The petitioner having not produced the vehicle within the time provided or within the next one year, on 12.01.2015, Annexure-I notice dated 12.01.2015, was issued for revocation of the permit. The writ petition was filed just immediately thereafter and an order obtained for consideration.

2. The learned counsel for the writ petitioner, however, would specifically point out the endorsement made as to the despatch of the order which is only on 23.01.2015. Hence, the petitioner in the writ petition would not have known about the said order. The writ petitioner is at liberty to challenge Annexure-I before the appropriate authority. However, the judgment dated 15.01.2015 is recalled.

The Review Petition is allowed and the Writ Petition is dismissed.

Sd/-

K.VINOD CHANDRAN
Judge

Mrcs

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