

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 16TH DAY OF JANUARY 2015/26TH POUSHA, 1936

RPNo. 135 of 2014 ()

(AGAINST THE JUDGMENT IN WP(C).NO. 230/2014 DATED 09/01/2014)

REVIEW PETITIONER(3RD PARTY):

**KERALA STATE ROAD TRANSPORT CORPORATION,
TRANSPORT BHAVAN, THIRUVANANTHAPURAM,
REPRESENTED BY ITS MANAGING DIRECTOR,
REPRESENTED BY HIS AUTHORISED SIGNATORY,
P.SURESH KUMAR, CHIER LAW OFFICER.**

BY ADV. SRI.P.C.CHACKO, SC,

RESPONDENTS/PETITIONER AND RESPONDENTS 1 & 2:

- 1. FRANCIS MATHEW,
VATTAKUZHIL HOUSE, KALLOORKADU P.O.,
MUVATTUPUZHA, ERNAKULAM.**
- 2. THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY, KOTTAYAM-686 002.**
- 3. THE REGIONAL TRANSPORT AUTHORITY,
KOTTAYAM, REPRESENTED BY ITS SECRETARY-686 002.**

**R1 BY ADV.SRI.G.PRABHAKARAN
R2 & R3 BY SR GOVERNMENT PLEADER SRI.BIJU MEENATTOOR**

**THIS REVIEW PETITION HAVING BEEN FINALLY HEARD
ON 16-01-2015, THE COURT ON THE SAME DAY PASSED
THE FOLLOWING:**

sts

R.P.NO.135/2014

APPENDIX

PETITIONER'S ANNEXURES:

ANNEX 1 COPY OF THE NOTIFICATION NO.42/TRANS DATED 14/7/2009

RESPONDENT'S ANNEXURES: NIL

/TRUE COPY/

P.A.TO.JUDGE

sts

K.VINOD CHANDRAN, J.

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**R.P No.135 of 2014 in
W.P(C) No.230 of 2014**

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Dated this the 16th day of January, 2015

ORDER

The above review petition is filed contending that the route in which the temporary permit has been directed to be issued, overlaps a notified scheme. The route, as indicated from the judgment, is Kottayam - Karukachal, which is said to have an objectionable overlap of 12.5 Kms between Kottayam and Thottakkad. The total route length is said to be 23 Kms of which 12.5Kms between Kottayam and Thottakkad is said to be comprised in Changamacherry - Changanacherry notified scheme route and 5 Kms from Chembakkara - Karukachal objectionably overlapping Thiruvananthapuram - Kottayam (via) Ranni; by Notification No. 42/Trans dated 14.07.2009. In such circumstances, no temporary permit could have been issued in that route.

2. No appearance for 1st respondent despite service of notice.

3. The period for which temporary permit was granted is already over and normally this Court would not have interfered with the same. However, there is a practise by which stage carriage operators seek for reissue of temporary permit and there can be no entitlement conferred on the operator, by reason of the instant judgment. The review petition stands allowed and the judgment would stand re-called and the writ petition would stand dismissed. No costs.

Sd/-
K.VINOD CHANDRAN, JUDGE

vdv //True Copy// P.A to Judge