

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

RP.No. 136 of 2014

AGAINST THE JUDGMENT DATED 06-01-2014 IN WP(C) 32259/2013
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REVIEW PETITIONER(S)/(3RD PARTY):

**KERALA STATE ROAD TRANSPORT CORPORAITON,
TRANSPORT BHAVAN,
THIRUVANANTHAPURAM, REPRESENTED BY HIS AUTHORISED SIGNATORY
P.SURESH KUMAR, CHIEF LAW OFFICER.**

BY ADV. SRI.P.C.CHACKO (PARATHANAM)

RESPONDENT(S)/PETITIONER & RESPONDENTS 1&2:

- 1. T.C.THOMAS,
THAKADIYEL PARAMBIL, CHANNANIKKADU P.O.
KOTTAYAM - 686 101.**
- 2. THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY, KOTTAYAM - 686 002.**
- 3. THE REGIONAL TRANSPORT AUTHORITY,
KOTAYAM, REPRESENTED BY ITS SECRETARY - 686 002.**

**R1 BY SRI.G.PRABHAKARAN
R2 & R3 BY GOVERNMENT PLEADER SRI.R.RANJITH**

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

msv/

RPNo. 136 of 2014

APPENDIX

PETITIONER(S)' ANNEXURES:

ANNEXURE 1: TRUE COPY OF NOTIFICATION NO.42/TRANS DATED 14.7.2009.

RESPONDENT(S)' ANNEXURES:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

K.VINOD CHANDRAN, J.

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**R.P No.136 of 2014 in
W.P(C) No.32259 of 2013**

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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 - Changanacherry, which is said to have an objectionable overlap of 5 Kms between Chingavanam and Anchalkutty and 5 Kms between Changanachery and Punnamood. The total route length is said to be 23 Kms of which 5 Kms between Chingavanam and Anchalkutty, 5 Kms between Changanachery and Punnamood objectionably overlapping Thiruvananthapuram - Kannur and 3 Kms from Kottayam - Kanjikuzhy is overlapping Kottayam - Thekkady notified route; 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