

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. 383 of 2014 (D)

AGAINST THE JUDGMENT IN W.P.(C).NO.31/2014, DATED 01-01-2014

REVIEW PETITIONER(S)(3RD PARTY) :

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

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

RESPONDENT(S)/ PETITIONER & RESPONDENT :

- 1. SHEEJA,
W/O.BINU, KOMBIKKARA HOUSE,
THODUPUZHA P.O- 685 684.**
- 2. THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
IDUKKI- 686 603.**

**R1 BY SRI.I.DINESH MENON
R2 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:**

Msd.

RPNo. 383 of 2014 (D)

APPENDIX

PETITIONER(S)' ANNEXURES :

**ANNEXURE 1: TRUE COPY OF ORDER DATED 08.01.2014 AS ITEM NO.124 OF
 THE RTA, IDUKKI.**

ANNEXURE 2: TRUE COPY OF NOTIFICATION NO.42/TRANS DATED 14.07.2009

RESPONDENT(S)' ANNEXURES :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

K.VINOD CHANDRAN, J.

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**R.P No.383 of 2014 in
W.P(C) No.31 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 Pathippally - Thodupuzha, which is said to have an objectionable overlap of 30 Kms between Thodupuzha and Moolamattam. The total route length is said to be 40 Kms of which 30Kms between Thodupuzha and Moolamattam is said to be comprised in Ernakulam - Kattappana and Kottayam - Kattappana notified scheme route; by Notification No. 42/Trans dated 14.07.2009. In such circumstances, no temporary permit could have been issued in that route.

2. However, it is to be noticed that the temporary permit directed to be granted on 01.01.2014 was for a period

of four months and there was a stay issued as on 31.05.2014. 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 judgment. Though the period is over, review petition is 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