

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE AG.CHIEF JUSTICE MR.ASHOK BHUSHAN

&

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

TUESDAY, THE 24TH DAY OF MARCH 2015/3RD CHAITHRA, 1937

WA.No. 602 of 2015 (A) IN WP(C).3866/2015

**AGAINST THE JUDGMENT IN WP(C) 3866/2015 of HIGH COURT OF KERALA
DATED 11-02-2015**

APPELLANT/PETITIONER IN THE WPC:

**P.V.MATHEW
PULIKEYIL HOUSE, CHOTTUPARA P.O., THRISSUR.**

BY ADV. SRI.K.V.GOPINATHAN NAIR

RESPONDENTS/1ST RESPONDENT AND ADDITIONAL 2ND RESPONDENT IN WPC:

**1. THE SECRETARY, REGIONAL TRANSPORT AUTHORITY, THRISSUR
PIN-680001.**

**2. MOHANKUMAR C.G., AGED 46 YEARS
S/O. GOPALAN, CHEMMANKATTUVALAPPIL, AMALA NAGAR
THRISSUR DISTRICT.**

**R1 BY SPECIAL GOVERNMENT PLEADER SMT. GIRIJA GOPAL
R2 BY SRI.M.JITHESH MENON**

**THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 24-03-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

JJJ

ASHOK BHUSHAN, Ag. C.J.

&

A.M. SHAFFIQUE, J.

W.A. No. 602 of 2015

Dated this the 24th day of March, 2015

J U D G M E N T

Ashok Bhushan, Ag.C.J.

Heard the learned counsel for the appellant, the learned Government Pleader appearing for the first respondent and the learned counsel appearing for the second respondent.

2. This Writ Appeal has been filed against the judgment dated 11.2.2015 in W.P.(C) No.3866/2015. The petitioner has filed the Writ Petition aggrieved by the non-consideration of allotment of timing sought for by Ext.P1. The timing was said to be one which is vacant, since the vehicle bearing registration No.KL-08/AJ 2244 had been settled with a fresh set of timings. An application already made by the additional 2nd respondent, who had requested for vacant timing, was pending. The learned Single Judge dismissed the Writ Petition observing that when the request of the additional 2nd respondent has already been directed to be considered, it is not proper for this Court to direct consideration of the request of the petitioner/appellant.

3. There is no dispute that the petitioner has also made an application for change of his timing. The learned counsel for the appellant has informed that the timing conference is fixed to be held on 21st April, 2015. In the timing conference, the revised timings are given and there is no prohibition in considering the petitioner's application as per the priority and procedure as followed by the department.

With this observation, we dispose of the Writ Appeal.

Sd/-
ASHOK BHUSHAN,
ACTING CHIEF JUSTICE.

Sd/-
A.M. SHAFFIQUE,
JUDGE.

/TRUE COPY/

PA TO JUDGE

jjj