

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

TUESDAY, THE 30TH DAY OF JUNE 2015/9TH ASHADHA, 1937

WA.No. 1327 of 2015 IN WP(C).14452/2015

AGAINST THE JUDGMENT IN WP(C) 14452/2015 DATED 12/05/2015

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APPELLANT/3RD PARTY :

SALIM, AGED 33 YEARS
S/O MEERAKUTTI, KILIYAMKOTTU HOUSE,
UDUMBANNOOR P.O.,
THODUPUZHA, IDUKKI DIST

BY ADV. SRI.M.JITHESH MENON

RESPONDENTS/RESPONDENTAND PETITIONER IN THE W.P(C) :

1. SECRETARY, REGIONAL TRANSPORT AUTHORITY,
IDUKKI 685 603

2. JOSEPH OUSEPH, AGED 60 YEARS
S/O.MATHAI OUSEPH, ARAKUNNEL HOUSE,
EZHUMUTTOM, THODUPUZHA 685 605

R1 BY SR.GOVERNMENT PLEADER, SRI.P.I. DAVIS.
R2 BY SRI.O.D.SIVADAS

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 30-06-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

APPELLANT'S EXHIBITS :

ANNEXURE 1 : TRUE COPY OF THE PERMIT ISSUED TO THE APPELLANT
DATED 24.06.2013.

ANNEXURE 2 : TRUE COPY OF THE PERMIT ISSUED TO THE APPELLANT
DATED 24.12.2014.

ANNEXURE 3 : TRUE COPY OF THE AGENDA.

ANNEXURE 4 : TRUE COPY OF THE PROCEEDINGS DATED 12.06.2015.

RESPONDENTS' EXHIBITS:

NIL

/TRUE COPY/

PA TO JUDGE

ASHOK BHUSHAN, C.J. & A.M. SHAFFIQUE, J.

W.A. No. 1327 OF 2015

Dated this the 30th day of June, 2015

JUDGMENT

Ashok Bhushan, C.J.

Heard learned counsel appearing for the appellant and learned counsel appearing for the respondent/writ petitioner. This Writ Appeal is filed against the judgment dated 12.05.2015 passed in W.P.(C) No.14452 of 2015.

2. Learned Single Judge by the judgment dated 12.05.2015 directed the respondent to issue temporary permit for four months duration within one week from the date of production of a copy of this judgment by passing appropriate orders on Ext.P1. Learned counsel for the appellant submits that the application submitted by the petitioner for temporary permit was for the seasonal periods, Sabarimala and Christmas, which is over, hence there is no occasion to consider the application for grant of permit. He further submits that learned Single Judge ought not have issued any positive direction for grant of permit. Learned counsel for the

respondent/writ petitioner refuting the above submission submitted that the temporary permit granted to the petitioner was not for a period of four months, but for 20 days which is going to expire on 01.07.2015. Referring to the proceedings filed as Annexure 4 he submits that he was asked to submit an application for 20 days temporary permit and that the permit was granted.

3. Be that as it may, since the period of temporary permit is expiring tomorrow, i.e. 01.07.2015, we see no purpose in adjudicating the issues raised. Learned counsel for the appellant apprehends that in pursuance of the judgment dated 12.05.2015, the petitioner may again claim for temporary permit and which may be allowed. The judgment of learned Single Judge having been considered and already a decision is taken, we see no substance in the apprehension expressed by learned counsel for the appellant. We, however, observe that in the event any further application for temporary permit is considered, it shall be open for the appellant to raise appropriate objection

WA No. 1327 of 2015

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and for any future application, the judgment of learned Single Judge may not be referred to.

With the above observation, the Writ Appeal is disposed of.

**Ashok Bhushan,
Chief Justice.**

**A.M. Shaffique,
Judge.**

ttb/30/06