

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

MONDAY, THE 16TH DAY OF NOVEMBER 2015/25TH KARTHIKA, 1937

WA.No. 1820 of 2014 IN WP(C).25848/2014

AGAINST THE JUDGMENT IN WP(C) 25848/2014 DATED 07-10-2014
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APPELLANT/3RD PARTY :

KERALA STATE ROAD TRANSPORT CORPORATION
TRANSPORT BHAVAN, THIRUVANANTHAPURAM
REPRESENTED BY ITS MANAGING DIRECTOR
REPRESENTED BY HIS AUTHORISED SIGNATORY, SASIDHARAN
S/O.BALAKRISHNAN NAIR, WORKING AS THE ZONAL OFFICER
KERALA STATE ROAD TRANSPORT CORPORATION
DISTRICT TRANSPORT OFFICE, ERNAKULAM.

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

RESPONDENTS/PETITIONER & RESPONDENTS 1 & 2 :

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1. ASWATHY KUMAR
KAMALALAYAM, CHATHANPARA, THOTTAKKADU P.O.
ATTINGAL, THIRUVANANTHAPURAM-695605.
 2. THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY, KOLLAM-691001.
 3. THE REGIONAL TRANSPORT AUTHORITY,
KOLLAM, REPRESENTED BY ITS SECRETARY-691001.

R1 BY ADV. SRI.O.D.SIVADAS

R2 & R3 BY SR.GOVERNMENT PLEADER, SRI.P.I. DAVIS

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 16-11-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

APPELANT'S EXHIBITS:

ANNEXURE 1 : TRUE COPY OF THE ORDER PASSED BY THE 2ND RESPONDENT
DATED 13.10.2014.

ANNEXURE 2 : TRUE COPY OF THE ORDER PASSED BY THE 2ND RESPONDENT
DATED 13.10.2014.

ANNEXURE 3 : TRUE COPY OF GOVERNMENT ORDER DATED 14.07.2009 VIDE
NO.42/2009.

ANNEXURE IV : TRUE COPY OF THE JUDGMENT DATED 03.07.2015 IN W.P.(C)
No.4757 OF 2015 PASSED BY THE HIGH COURT OF KERALA.

RESPONDENTS' EXHIBITS:

ANNEXURE R1(A) : TRUE COPY OF THE TEMPORARY PERMIT ISSUED TO THE
PETITIONER ON 06.10.2012.

ANNEXURE R1(B) : TRUE COPY OF THE PROCEEDING DATED 05.02.2013 ISSUED
BY TRHE 2ND RESPONDENT.

ANNEXURE R1(C) : TRUE COPY OF THE TEMPORARY PERMITS ISSUED TO THE
2ND RESPONDENT TO THE 1ST RESPONDENT.

/TRUE COPY/

PA TO JUDGE

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

W.A. No. 1820 OF 2014

Dated this the 16th day of November, 2015

JUDGMENT

Ashok Bhushan, C.J.

This Writ Appeal has been filed against the judgment dated 07.10.2014 passed in W.P.(C) No. 25848 of 2014 by which the learned Single Judge has directed the respondent to issue a temporary permit for four months duration within a week from the date of production of a copy of the judgment which was subject to any preferential claim.

2. The Kerala State Road Transport Corporation who was not party to the writ petition has come up with this appeal after obtaining leave of this Court. Learned Standing Counsel for the appellant submits that after the impugned judgment the Regional Transport Authority has granted four months temporary permit but denied further extension. Hence the petitioner has again approached this Court and learned Single Judge vide judgment dated 03.07.2015 in W.P.(C) No.4757 of 2015 has dismissed the writ petition holding that

the writ petitioner(Aswathy Kumar) was not entitled to get the relief prayed for.

It is submitted that in view of Annexure IV judgment dated 03.07.2015 in W.P.(C) No.4757 of 2015, the Writ Appeal has virtually become infructuous. Accordingly, we close the Writ Appeal as having become infructuous.

**Ashok Bhushan,
Chief Justice.**

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