

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

WEDNESDAY, THE 14TH DAY OF JANUARY 2015/24TH POUSHA, 1936

WP(C).No. 1297 of 2015 (J)

PETITIONER :

**K.G.ANILKUMAR,
THUNDAZHICATHU HOUSE,
ALAYEMON.P.O., ANCHAL, KOLLAM.**

BY ADV. SRI.P.DEEPAK

RESPONDENT :

**THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
KOLLAM-691 001**

BY SR GOVERNMENT PLEADER SRI.BIJU MEENATTOOR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 14-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).NO.1297/2015

APPENDIX

PETITIONER'S EXHIBITS:

- P1 COPY OF THE PERMIT VALID TILL 09/02/2015.**
- P2 COPY OF THE APPLICATION FOR RENEWAL DATED 08/01/2015.**
- P3 COPY OF THE APPLICATION FOR REPLACEMENT DATED 08/01/2015.**
- P4 COPY OF THE JUDGMENT DATED 08/04/2014 IN WP(C).NO.10502 OF 2014**

RESPONDENT'S EXHIBITS: NIL

/TRUE COPY/

P.A.TO.JUDGE

sts

K. VINOD CHANDRAN, J.
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W.P.(C) No.1297 of 2015 - J
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Dated this the 14th day of January, 2015

J U D G M E N T

The petitioner is the holder of the regular permit as indicated in Ext.P1, which permit expires on 09.02.2015. The petitioner has in accordance with the Motor Vehicles Act, 1988 filed Ext.P2 renewal application. The petitioner has filed an application for replacement of the vehicle at Ext.P3. The petitioner seeks for expeditious consideration of Ext.P2 and apprehends that Ext.P3 was not considered, since the petitioner has now produced an older model of vehicle for replacement.

2. The question of older model vehicle was considered by this Court in W.P(C) No. 3553/2013 dated 06.12.2013 and had held that though discretion is vested in the respondent under Rule 174(2) of the Kerala Motor Vehicle Rules, 1989 to assess the merits and demerits of a

vehicle, it cannot be extended to merely looking at the model or date of registration of the vehicle.

3. In such circumstance, it is only proper that the applications filed by the petitioner be considered expeditiously and if possible within the constraints of time before the expiry of the regular permit.

The writ petition is disposed of.

Sd/-
K. VINOD CHANDRAN,
JUDGE

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// true copy //

P.A To Judge.