

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 30TH DAY OF JANUARY 2015/10TH MAGHA, 1936

WP(C).No. 2402 of 2015 (A)

PETITIONER(S):

**V.P.KUTTY HASSAN,
S/O.SAINUDHEEN HAJI, VALIYAPARAMBIL HOUSE
ATHIRSSERI, PONMUNDAM, TIRUR, MALAPPURAM DISTRICT.**

BY ADV. SRI.SAJU J.VALLYARA

RESPONDENT(S):

- 1. REGIONAL TRANSPORT AUTHORITY, MALAPPURAM
REPRESENTED BY ITS SECRETARY-676 505.**
- 2. THE SECRETARY
REGIONAL TRANSPORT AUTHORITY, MALAPPURAM-676 505.**
- 3. THE MANAGING DIRIECTOR
KERALA STATE ROAD TRANSPORT CORPORATION
THIRUVANANTHAPURAM-695 001.**

**R1 & 2 BY GOVERNMENT PLEADER SRI.R.RENJITH
R3 BY ADV. SRI.P.C.CHACKO, SC**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 30-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1. PHOTOCOPY OF THE APPLICATION FOR REGULAR VARIATION OF
PERMIT SUBMITTED BY THE PETITIONER ON 14/2/2014.**
- EXT.P2. PHOTOCOPY OF THE PROCEEDINGS OF THE FIRST RESPONDENT
DATED 18/9/2014 VIDE ITEM NO.67.**
- EXT.P3. PHOTOCOPY OF THE APPLICATION FOR 4 TEMPORARY PERMIT
SUBMITTED BY THE PETITIONER ON 7/1/2015.**
- EXT.P4. PHOTOCOPY OF THE JUDGMENT IN WPC NO.28828/2014 DATED
14/11/2014.**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

K. VINOD CHANDRAN, J.
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W.P.(C) No.2402 of 2015 - A
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Dated this the 30th day of January, 2015

J U D G M E N T

The petitioner had a regular permit in the route Kottakkal - Purathur. With the introduction of a Chelari scheme, which was properly notified, there is total exclusion of the private stage carriage operators from any overlap in the notified route. The petitioner's permit overlaps the notified route for 2 kms. In such circumstance, the petitioner filed an application for varied permit indicated at Ext.P1, which was filed as early as on 14.02.2014. The application, though placed in the Regional Transport Authority meeting on 18.01.2014, the same is adjourned as is indicated at Ext.P2. The petitioner also has filed an application for temporary permit at Ext.P3 on the varied route avoiding the over lap.

2. In such circumstance, the petitioner's

application for varied permit shall be considered expeditiously. However, in the meanwhile, the petitioner's application for temporary permit shall be considered and issued, if there is no other legal impediment, within a period of two weeks after hearing the K.S.R.T.C. The temporary permit if any granted shall be continued till the application for varied permit is considered.

The writ petition is disposed of.

Sd/-
K. VINOD CHANDRAN,
JUDGE

SB

// true copy //

P.A to Judge.