

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN**

**MONDAY, THE 2ND DAY OF FEBRUARY 2015/13TH MAGHA, 1936**

**WP(C).No. 2719 of 2015 (L)**  
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**PETITIONER(S):**  
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**A.FAIZAL, AGED 33 YEARS,  
OASIS, KALLUMTHAZHAM, KOLLAM - 691 004.**

**BY ADV. SRI.P.DEEPAK**

**RESPONDENT(S) :**  
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- 1. THE SECRETARY,  
REGIONAL TRANSPORT AUTHORITY, KOLLAM - 691 001.**
- 2. THE BRANCH MANAGER,  
SHRIRAM TRANSPORT FINANCE LIMITED,  
BUILDING NO.34/184582, 2ND FLOOR, SAIRA PLAZA,  
OPP: MODERN BREAD, HIGH SCHOOL JUNCTION, EDAPALLY,  
ERNAKULAM - 682 024.**

**R1 BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 02-02-2015, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:**

Msd.

**APPENDIX**

**PETITIONER(S)' EXHIBITS**  
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**EXHIBIT P1: TRUE COPY OF THE REGULAR PERMIT ISSUED TO KL-17/F 2633 VALID  
TILL 16.12.2014.**

**EXHIBIT P2: A TRUE COPY OF THE REQUEST FOR NOC DATED 03.11.2014.**

**EXHIBIT P2(A): TRUE COPY OF THE POSTAL ACKNOWLEDGMENT CARD.**

**EXHIBIT P3: TRUE COPY OF THE APPLICATION FOR RENEWAL OF PERMIT  
DATED 24.11.2014.**

**EXHIBIT P4: TRUE COPY OF THE DECLARATION DATED 24.11.2014 SUBMITTED  
ALONG WITH THE APPLICATION FOR RENEWAL.**

**EXHIBIT P5: TRUE COPY OF THE RELEVANT EXTRACT OF PROCEEDINGS OF  
THE RTA, KOLLAM DATED 09.12.2014.**

**RESPONDENT(S)' EXHIBITS**  
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**NIL**

**//TRUE COPY//**

**P.S.TO JUDGE.**

Msd.

**K. Vinod Chandran, J.**

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W.P.(C)No.2719 of 2015

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Dated this the 2<sup>nd</sup> day of February, 2015.

**JUDGMENT**

1. Petitioner is aggrieved with the non-consideration of renewal of permit. Admittedly, the petitioner's vehicle run in the permit, is covered by a hire purchase agreement executed with the second respondent. Petitioner contends that he has filed an application for renewal of permit, in compliance of Section 51 of the Motor Vehicles Act, 1988, producing a declaration that, despite receipt of request for No Objection Certificate, no communication has been received by the petitioner. Petitioner has impleaded the first respondent alone, since, by Ext.P5, there is a delegation of authority for renewal of permit to the first respondent.

2. Learned Government Pleader, on instructions, would submit that, there is in fact an objection raised for renewal, by the financier, the second respondent impeaded herein. The Regional Transport Authority is said to have posted the matter to 26.2.2015.
3. In such circumstances, definitely, the RTA would have to consider the issue after hearing the second respondent and orders shall be passed, expeditiously. This Court, in the nature of the orders passed, is not issuing notice to the second respondent.

Writ petition is disposed off.

**K. Vinod Chandran, Judge.**

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