

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

MONDAY, THE 16TH DAY OF FEBRUARY 2015/27TH MAGHA, 1936

WP(C).NO. 3478 OF 2015 (H)

PETITIONER(S):

**T. MOHAMMED, PALLIYALI HOUSE,
VALLUVAMBRAM P.O., MALAPPURAM.**

BY ADV. SRI.K.V.GOPINATHAN NAIR.

RESPONDENT(S):

**1. THE REGIONAL TRANSPORT AUTHORITY,
MALAPPURAM, REPRESENTED BY ITS SECRETARY,
PIN:676 505.**

**2. THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
MALAPPURAM, PIN:676 505.**

BY GOVT. PLEADER SRI.R. RANJITH.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 16-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

WP(C).NO. 3478 OF 2015 (H)

APPENDIX

PETITIONER'S EXHIBITS:-

EXHIBIT P1: TRUE COPY OF THE REGULAR PERMIT ISSUED TO THE PETITIONER ON THE ROUTE KOZHIKODE-PALAKKAD VALID TILL 15.02.2015.

EXHIBIT P2: TRUE COPY OF THE RENEWAL APPLICATION SUBMITTED BY THE PETITIONER DATED 15.01.2015.

EXHIBIT P3: TRUE COPY OF THE 4 MONTHS TEMPORARY PERMIT APPLICATION SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT UNDER SECTION 87(1)(D) OF THE M.V. ACT DATED 28.01.2015.

EXHIBIT P4: TRUE COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER IN THE PRESCRIBED FORM P.V.A. DATED 13/02/2015.

RESPONDENT'S EXHIBITS:-

NIL.

//TRUE COPY//

P.A TO JUDGE

rs.

K. VINOD CHANDRAN, J.
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W.P.(C) No.3478 of 2015 - H
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Dated this the 16th day of February, 2015

J U D G M E N T

The petitioner was operating on the route Kozhikide - Palakkad as a Fast Passenger Service. On restriction being introduced by a notified scheme, the private operators are not entitled to operate stage carriages as Fast Passenger Services. The petitioner hence, sought for renewal of the permit by Ext.P2 and conversion as per Ext.P4. The petitioner only seeks consideration of the said applications together and that too expeditiously. The petitioner also contends that the route is of a length of 140 kms. and hence, the distance rule would not be applicable and the petitioner would be entitled to operate the route as a Limited Stop Ordinary Service.

2. In any event, since Exts.P2 and P4 are pending

before the appropriate authority, it is only proper that the 1st respondent consider the same expeditiously in accordance with law.

The writ petition is disposed of.

Sd/-
K. VINOD CHANDRAN,
JUDGE

SB

// true copy //

P.A to Judge