

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

THURSDAY, THE 29TH DAY OF JANUARY 2015/9TH MAGHA, 1936

WP(C).No. 4175 of 2014 (V)

PETITIONER:

**NANDANAN,
S/O.ACHUTHAN VAIDYAR, PULLANIKKATTIL HOUSE,
KOZHIKOTTIRI P.O., PATTAMBI.**

BY ADV. SRI.P.DEEPAK

RESPONDENTS:

- 1. THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY, THRISSUR-680 002.**
- 2. THE DISTRICT COLLECTOR & CHAIRMAN,
REGIONAL TRANSPORT AUTHORITY, THRISSUR-680 002.**
- 3. C.D.JOSHY,
CHITILAPPILLY HOUSE, P.O. CHOOLISSERY, KOLANGATTUKARA,
THRISUR DISTRICT- 680 112.**
- 4. THE TRANSPORT COMMISSIONER,
TRANS TOWERS, VAZHUTHACAUD,
THIRUVANANTHAPURAM-695 001.**

*** ADDL. R5 IMPEADED**

**ADDL.5. SRI. M.K.GOPI
S/O KUMARAN, MANCHERY HOUSE, KAIPARAMBU
THRISSUR.ADDL.R5 SUO MOTU IMPEADED AS PER ORDER DATED
24.11.2014**

BY SR. GOVERNMENT PLEADER, SRI. BIJU MEENATTOOR

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 29-01-2015,
ALONG WITH WPC. 6541/2014, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

WP(C).No. 4175 of 2014 (V)

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1. - A COPY OF THE REGULAR PERMIT ISSUED TO KL-52/B 306.**
- EXHIBIT P2. - A COPY OF THE JUDGMENT DATED 8/7/2013 IN WPC NO.16889 OF 2013.**
- EXHIBIT P3.A - COPY OF THE MEMORANDUM OF WRIT PETITION WPC NO.16889/2013.**
- EXHIBIT P3(A). A COPY OF THE REPRESENTATION DATED 20/4/2013 FILED BY THE 3RD RESPONDENT**
- EXHIBIT P4.A - COPY OF THE COMMUNICATION DATED 18/11/2013 ISSUED FROM THE OFFICE OF THE 1ST RESPONDENT**
- EXHIBIT P5. - A COPY OF THE REPRESENTATION DATED 13/11/2013 ADDRESSED TO THE 1ST RESPONDENT**
- EXHIBIT P6. - A COPY OF THE TIMING HEARING NOTICE FOR THE CONFERENCE SECHEDULED TO BE HELD ON 25/2/2014 IN RESPECT OF KL-08/AK 3915.**

RESPONDENTS' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

DST

K.VINOD CHANDRAN, J.
=====

**W.P(C) Nos.4175 of 2014,
& 6541 of 2014**
=====

Dated this the 29th day of January, 2015

JUDGMENT

Petitioners in the above writ petitions are rival operators concerned with the timings in which the petitioner in W.P.(C) No.6541 of 2014 operates. The said petitioner asserts on the basis of Ext.P3 filed in his writ petition that, the timings of the regular permit allotted to his vehicle KL-8/AK. 3915 is that settled in respect of KL-8/D.505. The permit itself is said to have been in the name of another, from whom the petitioner purchased the vehicle. The transfer of registration is indicated from Ext.P1 and Ext.P2. The petitioner in the other writ petition however contends that there is no authenticity to the permit or the time schedule attached. In any event, the existence of the permit is not, now, seriously disputed. The settlement of timings is the

only dispute between the operators. The petitioner in W.P.(C) 6541 of 2014 is also not able to produce any authenticated copy of the settlement of timings. In such circumstance, it would proper for the authority to consider the settlement of timings, by convening a proper timing for the petitioner in W.P.(C) No.6541 of 2014, within a period of three months from today. If the matter is already scheduled the same shall be finalized expeditiously, after hearing both the petitioners herein. The petitioner in W.P.(C) No.6541 of 2014 shall be permitted to operate on Ext.P3 till the timings are so settled.

Both the writ petitions are disposed of. No cost.

Sd/-
K.VINOD CHANDRAN, JUDGE

vdv //True Copy//

P.A to Judge