

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

WEDNESDAY, THE 11TH DAY OF MARCH 2015/20TH PHALGUNA, 1936

WP(C).No. 7663 of 2015 (G)

PETITIONER:

**MARTIN A.D.,
S/O.DEVASSY, ARACKAL HOUSE, NAZARATH NAGAR
ANGAMALY SOUTH.P.O.**

**BY ADVS.SRI.M.SHAJU PURUSHOTHAMAN
SRI.K.S.RAJESH**

RESPONDENTS:

- 1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY
MOTOR VEHICLES DEPARTMENT, SECRETARIAT
THIRUVANATHAPURAM-695001.**
- 2. THE REGIONAL TRANSPORT OFFICE,
OFFICE OF RTO, ANGAMALI-683572.**

BY SENIOR GOVERNMENT PLEADER SRI.BIJU MEENATTOOR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 11-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

WP(C).No. 7663 of 2015 (G)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXT.P1 THE TRUE COPY OF THE RC PARTICULARS OF AUTO RICKSHAW
DT.16.1.2015.**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

K. VINOD CHANDRAN, J.

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W.P.(C) No.7663 of 2015 - G

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Dated this the 11th day of March, 2015

J U D G M E N T

The petitioner is a contract carriage permit holder plying his autorikshaw in the Angamaly Town. He sought for variation of permit. The grievance of the petitioner is that the said application is not yet considered by the respondents.

2. This Court has in **Rajesh v. Secretary, Regional Transport Authority [2014(3) KLT 341]** and connected reported decisions, held that such general orders cannot be passed by the RTA and each application has to be considered individually and a reasoned order passed under Section 80(2) of The Motor Vehicles Act, 1988. In such circumstances, the application filed by the petitioner shall be considered by the respondents within a period of two months from the date of receipt of a copy of this judgment.

Writ petition disposed of.

Sd/-

**K. VINOD CHANDRAN,
JUDGE**

SB

// true copy //

P.A to Judge