

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 20TH DAY OF MARCH 2015/29TH PHALGUNA, 1936

WP(C).No. 8025 of 2015 (C)

PETITIONER:

SABEER ALI AGED 35 YEARS
PARAMBIL HOUSE, VALPARAMBA, EAST NALLUR
FEROKE, KOZHIKODE.

BY ADV. SRI.PRASAD CHANDRAN

RESPONDENT:

THE SECRETARY, REGIONAL TRANSPORT AUTHORITY
KANNUR, PIN - 670 002.

R BY GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
20-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 8025 of 2015 (C)

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1: TRUE COPY OF THE REGULAR PERMIT ISSUED TO THE PETITIONER ON THE
ROUTE CHERUPUZHA - THRISSUR VALID UPTO 13/01/2013.

EXT.P2: TRUE COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER BEFORE
THE RESPONDENT DATED 09/02/2015.

RESPONDENT(S)' EXHIBITS: NIL

TRUE COPY

P.A TO JUDGE

jma

K. VINOD CHANDRAN, J

W.P(C) No. 8025 of 2015

Dated this the 20th day of March, 2015

J U D G M E N T

The petitioner seeks for a clearance certificate, keeping the permit in suspended animation.

2. The learned Government Pleader, on instruction submits that the petitioner's vehicle was endorsed in a regular permit to be operated as super fast service. The said permit was expired on 13.01.2013 and the petitioner has been running on a temporary permit thereafter. In such circumstance there would be no requirement for clearance, is the contention. The petitioner would however, contend that he has filed a renewal application within time and the same is not considered only due to the restriction in the notification. In any event, the temporary permit having expired, there would be no

requirement for a clearance certificate. However, if at all the challenge against the notification specifically against the restriction to private stage carriages running in Fast Passenger; if the decision goes in their favour, the petitioner would be entitled to seek for renewal and replacement in accordance with law, provided it is done within a reasonable time, within the date of the decision.

Writ petition is disposed of.

Sd/-

(K. VINOD CHANDRAN, JUDGE)

jma

//true copy//

P.A to Judge