

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

THURSDAY, THE 4TH DAY OF JUNE 2015/14TH JYASHTA, 1937

WP(C).No. 8324 of 2015 (M)

PETITIONER(S):

**THE PRINCIPAL,
AMRITHA INSTITUTE OF MEDICAL SCIENCE & TECHNOLOGY,
KAIRALI BUILDING, OPP: NEW BUS STAND,
VATAKARA - 673 1010, KOZHIKODE DISTRICT.**

BY ADV. SRI.P.DEEPAK

RESPONDENT(S):

- 1. THE DISTRICT COLLECTOR & CHAIRMAN,
STUDENTS TRAVEL FACILITY COMMITTEE,
KOZHIKODE - 673 001.**
- 2. THE REGIONAL TRANSPORT OFFICER,
VATAKARA - 673 101.**

BY GOVERNMENT PLEADER SRI.SHYSON P. MANGUZHA

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
04-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 8324 of 2015 (M)

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1: A TRUE COPY OF THE COMMUNICATION DTD.03.05.2013 ISSUED BY THE REGISTRAR, UNIVERSITY OF KERALA.

EXT.P1(A): A TRUE COPY OF THE CERTIFICATE DTD. 21.05.2013 ISSUED BY THE UNIVERSITY OF KERALA.

EXT.P2: A TRUE COPY OF THE COMMUNICATION DTD. 21.01.2013 ISSUED BY THE INDIAN SOCIETY FOR TRAINING & DEVELOPMENT.

EXT.P3: TRUE COPIES OF FEW SUCH CARDS ISSUED FOR THE ACADEMIC YEAR 2011-2012.

EXT.P4: A TRUE COPY OF THE REPRESENTATION DTD. 07.08.2013.

EXT.P5: A TRUE COPY OF JUDGMENT DTD. 12.09.2013 IN W.P.(C).NO.22231 OF 2013.

EXT.P6: A TRUE COPY OF JUDGMENT DTD. 23.10.2013 IN R.P.NO.848/2014.

EXT.P7: A TRUE COPY OF THE PROCEEDINGS OF THE 2ND RESPONDENT DTD. 22.01.2014.

EXT.P8: A TRUE COPY OF JUDGMENT DTD. 11.02.2014 IN W.P(C).NO.2266/2012.

EXT.P9: A TRUE COPY OF JUDGMENT DTD. 23.01.2015 IN W.P.(C).NO.20695/2014.

EXT.10: A TRUE COPY OF COMMUNICATION DTD.13.02.2015.

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

A.V.RAMAKRISHNA PILLAI, J.

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W.P(C) No.8324 of 2015

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Dated this the 4th day of June, 2015

JUDGMENT

The petitioner has come up before this Court for a direction to the respondents to issue concessional cards to the students of the petitioner's institution so as to enable them to avail concessional fare.

2. The petitioner is the Principal of a recognised educational institution situated at Vatakara in Kozhikode district. The petitioner alleges that from the very inception, the students of the petitioner's institution were granted concessional fare on the basis of the fare notifications issued by the Government from time to time. However, for the year 2012-2013, the second respondent declined to issue concession cards to the students on the ground that Private Bus Operators Association, Vatakara which had been entrusted with the task of printing and distributing the cards had objected to the issue of concession cards to the students of the petitioner's institution.

3. By judgment dated 12.09.2013 in W.P(C) No.22231 of 2013, this Court directed the respondents herein to consider and pass appropriate orders on the petitioner's entitlement to concessional fare. In the light of Ext.P8, the second respondent ought to have necessarily passed consequential orders granting the benefit of concessional fare to the students of the petitioner as well. The petitioner further alleges that, however, in the case of petitioner institution, the matter was placed before a sub committee of the students travel facility committee, which in turn directed the 2nd respondent to conduct an enquiry and to submit a report.

4. Now, after an elaborate enquiry conducted by the filed officers of the second respondent reported that the denial of concessional fare to the students of the petitioner's institution was not justified and they are entitled to concessional fare as per the fare notifications. The petitioner further alleges that this has been communicated to the first respondent by the second respondent by

Ext.P10. Therefore, according to the petitioner, in the light of the fact finding enquiry, there is no impediment in issuing concessional cards to the students of the petitioner's institution. However, no action has been taken on the basis of the aforesaid report. It is with this background, the petitioner has come up before this Court.

5. Arguments have been heard.

Considering the nature of the relief sought for and the submissions made by the learned counsel for the petitioner, the writ petition is disposed of directing the second respondent to issue concessional cards to the students of the petitioner's institution within a period of one week from the date of receipt of a copy of this judgment.

Sd/-

A.V.RAMAKRISHNA PILLAI
JUDGE

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