

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

WEDNESDAY, THE 8TH DAY OF APRIL 2015/18TH CHAITHRA, 1937

WP(C).No. 8676 of 2015 (J)

PETITIONER(S):

**JAISE KURIAKOSE, KANJIRAPARAYIL HOUSE,
UZHAVOOR P.O, PALA, KOTTAYAM DISTRICT.**

BY ADV. SRI.I.DINESH MENON.

RESPONDENT(S):

- 1. THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
ERNAKULAM-682 030.**
- 2. THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
KOTTAYAM- 686 002.**
- 3. VIJI JOSEPH,
KURIKKOTTUPARAYIL HOUSE, ELANJI P.O,
ALAPURAM, MUVATTUPUZHA -686 665.**

**R1 & R2 BY GOVT. PLEADER SRI.R. RANJITH.
R3 BY ADV. SRI.P.DEEPAK.**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 08-04-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

rs.

WP(C).No. 8676 of 2015 (J)

APPENDIX

PETITIONER'S EXHIBITS:-

EXHIBIT P1. COPY OF THE PROCEEDINGS DATED 16.12.2014.

EXHIBIT P2. COPY OF THE PROCEEDINGS DATED 17.07.2010.

EXHIBIT P3. COPY OF THE PROCEEDINGS DATED 11.11.2014.

EXHIBIT P4. COPY OF THE OBJECTION DATED 16.02.2015.

RESPONDENT'S EXHIBITS:- **NIL.**

//TRUE COPY//

PA. TO JUDGE

rs.

K.VINOD CHANDRAN, J

W.P.(C).No. 8676 of 2015

Dated 8th April, 2015

JUDGMENT

The petitioner and the 3rd respondent are rival operators. The petitioner is operating in the route Pala-Kuthattukulam and the 3rd respondent in the route Pala-Ernakulam. Admittedly, there is an overlap of the routes. The petitioner is aggrieved with the revision of timings made of the 3rd respondent, by the sister RTA, being the RTA at Kottayam. The principal RTA of the petitioner and the 3rd respondent, who run in an inter-district route is the RTA at Ernakulam. The petitioner contends that he was not aware of the revision of timings made by the sister RTA at Kottayam which was subsequently approved by the RTA at Ernakulam, without convening any timing conference.

2. The learned counsel for the 3rd

respondent appears and submits that, since, for many of the operators in the route, the RTA at Kottayam was the principal RTA; the RTA at Ernakulam, for convenience, merely approved the timings settled by the RTA at Kottayam.

3. In any event, it has to be noticed that the timings of the 3rd respondent are to be settled by the RTA at Ernakulam. Hence, necessarily when the RTA at Kottayam suggests a set of timings, the same would have to be considered in a properly convened timing conference. In such circumstances, a timing conference shall be convened by the RTA after issuing notice displaying the suggested timings in the notice board of the RTA at Ernakulam as also the RTA at Kottayam. The same shall be done within a period of two months from the date of receipt of a copy of this judgment. It is made clear that the 3rd respondent shall be permitted

to ply in Ext.P3 timings, till such orders are passed.

The writ petition is disposed of. Parties are left to suffer their respective costs.

Sd/-
K.VINOD CHANDRAN
Judge

MrCs

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