

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

WEDNESDAY, THE 22ND DAY OF JULY 2015/31ST ASHADHA, 1937

WP(C).No. 8844 of 2015 (E)

PETITIONER:

**K.VELAYUTHAN, S/O.KRISHNAN,
KILIVAYIL HOUSE, IRINGALLUR (PO) VENGARA,
MALAPPURAM DISTRICT, REPRESENTED BY HIS
POWER OF ATTORNEY HOLDER K.BHASKARAN,
S/O.KRISHNAN KILIVAYIL HOUSE, IRINGALLUR (PO),
VENGARA, MALAPPURAM.**

**BY SRI.PRAVINDRAN (SENIOR ADVOCATE)
ADV. SRI.SREEDHAR RAVINDRAN**

RESPONDENT(S):

- 1. THE REGIONAL TRANSPORT AUTHORITY,
KANNUR-670 001,
REPRESENTED BY ITS SECRETARY.**
- 2. THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
KANNUR-670 001.**
- 3. ANTIL K. ANTONY, KOLENCHERY HOUSE,
KANIMANGALAM, THRISSUR - 680027.**

R1 & R2 BY GOVERNMENT PLEADER SMT.K.A.SANJEETHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 22-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

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APPENDIX

PETITIONER(S)' EXHIBITS:

- EXT.P1 - TRUE COPY OF THE PERMIT ISSUED TO THE PETITIONER'S VEHICLE
DATED 29-12-2014.
- EXT.P2 - TRUE COPY OF THE TEMPORARY PERMIT DATED 06-01-2015.
- EXT.P3 - TRUE COPY OF THE CLEARANCE CERTIFICATE DATED 19-11-2013.
- EXT.P4 - TRUE COPY OF THE TIMINGS ISSUED TO THE PETITIONER'S VEHICLE
DATED 17-7-2000.
- EXT.P5 - TRUE COPY OF THE JUDGMENT IN WPC.NO.10836/14
DATED 11-04-2014.
- EXT.P6 - TRUE COPY OF THE ORDER IN IA NO.152/14 IN RP NO.... IN WPC.
NO.10836/14 DATED 01-10-2014.
- EXT.P7 - TRUE COPY OF THE REPRESENTATION DATED 20-1-2015.

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

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A.V.RAMAKRISHNA PILLAI, J.

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W.P(C) No.8844 of 2015

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Dated this the 22nd day of July, 2015

JUDGMENT

The petitioner is seeking a direction to the first respondent to consider Ext.P3 representation submitted by him within a time frame.

2. The petitioner is a stage carriage operator conducting service on the route Kozhikode, Guruvayoor and Kannur. The regular permit granted to his vehicle was valid till 17.1.2014. The petitioner alleges that he is now operating on the strength of a temporary permit which was issued during the pendency of the renewal application.

3. During the pendency of the renewal application, another operator after approaching this Court obtained a revision of timings whereby the set of timings allotted to the petitioner as early as in the year 2000 was allotted to that stage carriage. This entire exercise was brought into effect without hearing the petitioner; it is alleged.

4. The petitioner further alleges that the timings allotted to the stage carriage operator clashes with the timings already issued to

the petitioner. Aggrieved by the same, the petitioner filed Ext.P7 representation before the first respondent. However, no action has been taken on the same.

5. Arguments have been heard.

6. As the limited prayer in this writ petition is for a direction to consider Ext.P7 within a time frame, this Court is of the view that the writ petition be disposed of after affording the petitioner as well as the third respondent an opportunity of being heard. Since such an opportunity is afforded to the third respondent, this Court is of the view that there is no necessity to issue notice to him.

Therefore, the writ petition is disposed of directing the first respondent to consider and pass orders on Ext.P7 after affording the petitioner as well as the third respondent an opportunity of being heard, within one month from the date of receipt of a copy of this judgment

sd/-

A.V.RAMAKRISHNA PILLAI
JUDGE

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