

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

TUESDAY, THE 31ST DAY OF MARCH 2015/10TH CHAITHRA, 1937

WP(C) .No. 10112 of 2015 (L)

PETITIONER(S) :

AJAY P, AGED 35 YEARS
PONNALAYAM, ERAVICHIRA WEST,
SOORANADU SOUTH

BY ADV. SRI.O.D.SIVADAS

RESPONDENT(S) :

THE SECRETARY, REGIONAL TRANSPORT AUTHORITY,
KOLLAM - 691 001

BY GOVERNMENT PLEADER SRI.R.RANJITH

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
31-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) .No. 10112 of 2015 (L)

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 : COPY OF THE TEMPORARY PERMIT ISSUED ON 1.12.2014.

EXT.P2 : COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER
ON 26.3.2015.

RESPONDENT'S EXHIBITS: NIL

//TRUE COPY//

P.A TO JUDGE

vdv

K.VINOD CHANDRAN, J.

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W.P.(C) No.10112 of 2015

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Dated this the 31st day of March, 2015

JUDGMENT

The petitioner seeks re-issuance of the temporary permit in the route Eravipuram - Padanayarkulangara in the vacancy of stage carriage bearing No.KL 2 Q/2129. The petitioner has been issued with temporary permit, which expires on today. The learned Government Pleader, on instructions, submits that the vehicle which was endorsed in the permit is under G - Form and if the permit holder seeks for continuance of service in the permit, then, no temporary permit could be granted.

2. It is trite that a temporary permit in a defaulted vacancy would be subject to the preferential claim of the regular permit holder. In such circumstance, despite the fact that a temporary permit has been issued, if the regular permit holder seeks resumption of service, then, the temporary permit holder would have to suspend the

operation on the basis of the temporary permit. Hence, the application at Ext.P2 shall be considered and the temporary permit issued, if there is no other legal impediment within a period of one week from today.

Writ petition disposed of.

Sd/-

K.VINOD CHANDRAN, JUDGE

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