

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

TUESDAY, THE 29TH DAY OF SEPTEMBER 2015/7TH ASWINA, 1937

WP(C).No. 10474 of 2015 (H)

PETITIONER(S) :

MARYKUTTY JOSEPH AGED 76 YEARS
MARATTUKULAM HOUSE, MAMMOODU P.O., CHANGANASSERY
KOTTAYAM DISTRICT, PIN-686553.

BY ADVS.SRI.C.S.MANU
SRI.S.K.PREMRAJ

RESPONDENT(S) :

1. THE REGIONAL TRANSPORT AUTHORITY
IDUKKI, PIN-685603.

2. THE SECRETARY
REGIONAL TRANSPORT AUTHORITY, IDUKKI, PIN-685603.

Addl.3. CITY CORP. FINANCE (INDIA) LTD.
C/O.QUALITY MANAGEMENT SERVICES, 37/520, TEMPLE ROAD
BEHIND VARKEYS SUPER MARKET, KADAVANTHARA
COCHIN - 20.(ADDL. R3 IS IMPEADED AS PER ORDER DATED 06.04.2015
IN IA.5050/2015)

BY ADV.P.P.PADMALAYAN,GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 29-
09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 10474 of 2015

APPENDIX

PETITIONERS EXHIBITS

P1- REGULAR PERMIT NOS.P.ST.26/98/ID DATED 1.7.1998 IN THE NAME OF THE PETITIONER FOR THE ROUTE CHEMPAKAPPARA-CHANGANASSERY

P2- TRUE COPY OF REGULAR PERMIT NOS.P.ST.200/26/1998 DATED 8.7.2010 IN THE NAME OF THE PETITIONER FOR THE ROUTE CHEMPAKAPPARA-CHANGANASSERY

P3- TRUE COPY OF APPLICATION FOR RENEWAL DATED 14.6.2013 SUBMITTED BY THE PETITIONER.

P4- TRUE COPY OF RECEIPT ISSUED BY THE 1ST RESPONDENT TO THE PETITIONER FOR REMITTING THE FEE FOR RENEWAL OF THE REGULAR PERMIT.

P5-TRUE COPY OF LETTER DATED 14.11.2014 ISSUED BY THE 1ST RESPONDENT TO THE REGISTRAR OF COMPANIES, KOCHI.

P6-TRUE COPY OF APPLICATION DATED 16.3.2015 SUBMITTED BY THE PETITIONER TO M/S.CITY CORP.(INDIA) LIMITED, KADAVANTHRA, KOCHI-682020.

P6(A)-TRUE COPY OF THE POSTAL RECEIPT BEARING NO.A RL591378062 IN DATED 16.3.2015 ISSUED BY THE PERUMPANACHI POST OFFICE, PIN-686 536 TO THE PETITIONER.

RESPONDENTS EXHIBITS

NIL

TRUE COPY

SKS

P.A. TO JUDGE

V.CHITAMBARESH, J.

W.P (C) No.10474 of 2015

Dated this the 29th day of September, 2015

J U D G M E N T

The whereabouts of the additional 3rd respondent Financier is unknown. Even Ext.P5 query of the 2nd respondent to the Registrar of Companies as regards the existence of the additional 3rd respondent has not evoked any response.

2. It has reasonably to be inferred that the petitioner is entitled to the benefit of Sec.51(7) of the Motor Vehicles Act, 1988. Ext.P3 application for renewal of permit shall therefore be dealt with by the first respondent in the light of the observations above.

3. The needful shall be done within a period of one month from the date of receipt of a copy of this judgment.

The Writ Petition is disposed of accordingly.

**V.CHITAMBARESH,
Judge.**

sks