

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

MONDAY, THE 6TH DAY OF APRIL 2015/16TH CHAITHRA, 1937

WP(C).No. 11099 of 2015 (J)

PETITIONER(S) :

**M.SURENDRAN,
30/47, SAKTHI NAGAR, MELAMURI,
PALAKKAD DISTRICT,**

BY ADV. SRI.K.V.GOPINATHAN NAIR

RESPONDENT(S) :

**THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
PALAKKAD, PIN- 678 001.**

BY SR.GOVERNMENT PLEADER SRI.BIJU MEENATTOOR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 06-04-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Msd.

WP(C).No. 11099 of 2015 (J)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXT.P1: TRUE COPY OF THE APPLICATION SUBMITTED BY
 THE PETITIONER BEFORE THE RESPONDENT DATED 26.03.2015.**

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.S.TO JUDGE.

Msd.

K. Vinod Chandran, J.

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W.P.(C)No.11099 of 2015

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Dated this the 6th day of April, 2015.

JUDGMENT

1. The only prayer made in the writ petition is for the issuance of a Clearance Certificate in respect of the vehicle bearing registration No.KL-09/AC 1225 without insisting for surrender of the existing regular permit issued in respect of that vehicle to operate on the route Walayar-Kozhikode.
2. Heard the learned counsel for the petitioner and the learned Government Pleader appearing for the respondent.
3. In the circumstances, the writ petition is disposed of directing the respondent to consider Exhibit P1 request made by the petitioner for the issuance of Clearance Certificate in respect of stage carriage bearing registration No.KL-09/AC 1225 and pass orders thereon without insisting for surrender of existing regular permit. The needful in the matter shall be done within one week from the date of

production of a copy of this judgment, provided all dues to the Government as also the Kerala Motor Transport Workers' Welfare Fund Board, including check reports, with respect to the vehicle are satisfied. The petitioner shall produce the current records of the vehicle sought to be substituted within a period of four months from today. If the current records are not produced within that time, permit shall stand cancelled. Since clearance is sought on the ground that there is a restriction in operating a Fast Passenger service, re-issuance of permit would depend upon the challenge made against the scheme restrictions.

K. Vinod Chandran, Judge.

sl.