

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

FRIDAY, THE 17TH DAY OF APRIL 2015/27TH CHAITHRA, 1937

WP(C).No. 12384 of 2015 (W)

PETITIONER:

JAFFER P., PATTUPURA HOUSE,
OTTATHARA, KODUR P.O.,
MALAPPURAM DISTRICT.

BY ADVS.SRI.SAJEEV KUMAR K.GOPAL
SRI.R.HARISHANKAR

RESPONDENTS:

1. THE REGIONAL TRANSPORT AUTHORITY,
MALAPPURAM PIN 676 505
REPRESENTED BY ITS SECRETARY
2. THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
MALAPPURAM PIN 676 505.

BY GOVERNMENT PLEADER SMT. K.A. SANGEETHA

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 17-04-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) EXHIBITS

- EXHIBIT P1 : TRUE COPY OF THE PERMIT BEARING REGISTRATION NO. KL-53/3221
- EXHIBIT P2 : TRUE COPY OF THE JUDGMENT IN WP(C) NO. 23071/2013 OF THIS HONOURABLE COURT DATED 12.09.2013.
- EXHIBIT P3 : TRUE COPY OF THE APPLICATION FOR RENEWAL SUBMITTED BY THE PETITIONER DATED 22.02.2014.
- EXHIBIT P4 : TRUE COPY OF THE COVERING LETTER SUBMITTED BY THE PETITIONER DATED 22.02.2014 ACCOMPANYING EXHIBIT P3
- EXHIBIT P5 : TRUE COPY OF THE APPLICATION FOR REPLACEMENT OF THE VEHICLE SUBMITTED BY THE PETITIONER DATED 21.02.2015.
- EXHIBIT P6 : TRUE COPY OF THE APPLICATION FOR TEMPORAY PERMIT DATED 08.04.2015.
- EXHIBIT P7 : TRUE COPY OF THE CHELLAN RECEIPT DATED 16.04.2015.

RESPONDENT(S) EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

DAMA SESHADRI NAIDU, J

WP(C) NO. 12384 OF 2015

Dated this the 17th day of April, 2015

JUDGMENT

The petitioner is aggrieved at the non-consideration of Exhibit P5 application for replacement of a vehicle under the regular permit.

2. The learned Government Pleader, on instruction, submits that, there is a delay in the production of the current records within the time granted for issuing a clearance certificate.

3. In any event, if the current records have already been received at the office of the Regional Transport Authority along with Exhibit P5 application, and the regular permit has not yet been revoked, the Secretary, RTA, shall consider the same and allow the application if there is no other legal impediment, provided the petitioner remits an amount of ₹10,000/- (Rupees Ten thousand only) to the Road Safety Fund, under the account head "0041-00-800-99(02) other receipts". The payment as

WP(C) No. 12384/2015

directed above shall be made within two weeks from the date of receipt of a certified copy of this judgment.

4. It is further submitted by the learned counsel that Ext. P3 application for renewal and Ext.P6 application for temporary permit are also pending consideration. The respondents shall also consider Exts. P3 and P6 applications expeditiously as possible, at any rate, within a period of three weeks from the date of receipt of a certified copy of this judgment.

The Writ Petition is disposed of as above.

DAMA SESHADRI NAIDU
JUDGE

ncd