

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRAN

FRIDAY, THE 24TH DAY OF APRIL 2015/4TH VAISAKHA, 1937

WP(C).No. 12818 of 2015 (B)

PETITIONER(S):

BASHEER AHAMMED AGED 49 YEARS
PACHEERI HOUSE, PONNIAKURUSSE
PERINTHALMANNA MALAPPURAM.

BY ADV. SRI.I.DINESH MENON

RESPONDENT(S):

THE SECRETARY, REGIONAL TRANSPORT AUTHORITY,
MALAPPURAM - 676 505.

BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
24-04-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 12818 of 2015 (B)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXT.P1 - TRUE COPY OF THE TEMPORARY PERMIT DATED 7.4.2015

EXT.P2 - TRUE COPY OF THE APPLICATION FOR TEMPORARY PERMIT DATED
8.4.2015 WITH CHALAN.

EXT.P3 - TRUE COPY OF THE JUDGMENT IN WPC.NO.12708/2014 DATED
20.5.2014

RESPONDENT(S) ' EXHIBITS

NIL

/TRUE COPY/

PS TO JUDGE

ANIL K.NARENDHAN, J

W.P(C).No.12818 of 2015

Dated this the 24th April, 2015

JUDGMENT

The petitioner is the registered owner of a stage carriage vehicle KL-53-E-2844. There was a regular permit on the route Kizhisseri - Perinthalmanna in respect of stage carriage KL-10 R 4523, which was surrendered. According to the petitioner, timing in respect of that vehicle is still in existence, and hence there is need to have a service on the route in question. The petitioner has submitted Ext.P2 application for temporary permit and the said application is still pending consideration before the respondent. The grievance of the petitioner in this writ petition is nonconsideration of Ext.P2 application for temporary permit, which is pending consideration before the respondent. Therefore, the petitioner seeks an appropriate order directing the respondent to consider

and pass appropriate orders on the said application within the time limit that may be fixed by this Court.

2. Heard learned counsel for the petitioner and the learned Government Pleader appearing for the respondent. Considering the facts and circumstances of the case, this writ petition is disposed of as follows:-

If the vacancy of the stage carriage bearing registration No. KL-10 R 4523 is still in existence and any other person has not applied for a temporary permit to act as a stage carriage in that vacancy, there will be a direction to the respondent to issue a temporary permit for four months' duration, within three weeks from the production of a certified copy of the judgment by passing appropriate orders on Ext.P2 application. Needless to say, re-issuance of temporary permit will be subject to the preference of an affected person, if any.

**ANIL K.NARENDRA
JUDGE**

vgs24/4/15