

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

FRIDAY, THE 22ND DAY OF MAY 2015/1ST JYAISHTA, 1937

WP(C).No. 12996 of 2015 (Y)

PETITIONER:

**A.RAJAN, AGED 48 YEARS
S/O.LATE DAMODARAN NAMBIAR, MANAGER
DESHABHIMANI BOOK HOUSE, I.G.ROAD, NEW BUS STATION
KOZHIKODE.**

**BY ADVS.SRI.R.RAMADAS
SRI.T.SIVADASAN**

RESPONDENTS:

- 1. THE MANAGING DIRECTOR, KSRTC
THIRUVANANTHAPURAM-695001.**
- 2. THE MANAGING DIRECTOR
KERALA TRANSPORT DEVELOPMENT FINANCE CORPORATION
(KTDFC) LTD.
THIRUVANANTHAPURAM-695001.**
- 3. THE PRINCIPAL PROJECT CONSULTANT
KTDFC, THIRUVANANTHAPURAM-695001.**
- 4. THE ASSISTANT TRANSPORT OFFICER
OFFICE OF THE DISTRICT TRANSPORT OFFICER, KSRTC
KOZHIKODE, PIN-673001.**

**R1 BY SRI.M.GOPIKRISHNAN NAMBIAR, SC, KSRTC
R2 TO R4 BY SRI.SUNIL K.R., SC, KTDFC**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 22-05-2015, ALONG WITH WPC. 13014/2015, THE COURT ON THE
SAME DAY DELIVERED THE FOLLOWING:**

DCS

WP(C).No. 12996 of 2015 (Y)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1 : TRUE COPY OF THE SAID NEWS ITEM APPEARED IN CHANDRIKA DAILY DT.8-12-12.**
- P2 : TRUE COPY OF THE REPRESENTATION DT.7-1-2014 BEFORE THE HON'BLE MINISTER FOR TRASPORT GOVERNMENT OF KERALA.**
- P3 : TRUE COPY OF THE COMMUNICATION NO.ES 6-008309/2015 DT.25-2-2015.**
- P4 : TRUE COPY OF THE JUDGMENT DT.20-12-12 IN WPC 30476/2012.**
- P5 : TRUE COPY OF THE AUCTION CUM TENDER NOTICE DT.25-3-15 ISSUED BY R3.**
- P6 : TRUE COPY OF THE TENDER DOCUMENT SET FOR THE KSRTC BUS TERMINAL COMPLEX, KOZHIKODE VIDE TENDER NO.KTDFC/136/KKD/2015 ISSUED BY R3.**

RESPONDENT(S)' EXHIBITS:- NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V.CHITAMBARESH,J.

**W.P.(C) Nos. 12996 of 2015
& 13014 of 2015**

Dated this the 22nd day of May, 2015

J U D G M E N T

The petitioners seek preference in the allotment of space in the newly constructed bus station-cum-shopping complex. This Court by judgment in W.P.(C). No. 30476/2012 directed the first respondent to take a decision on the representation filed by the petitioners therein.

2. The first respondent takes a stand that it is for the second respondent to consider the plea put forth by the petitioners. This is because the bus station-cum-shopping complex was constructed by the second respondent in the space allotted by the first respondent. The second respondent has to recoup the money spent on re-construction from the license fee collected from the allottees.

3. Interest of justice would be met by permitting the petitioners to submit fresh representation to the second respondent within two weeks from today. Any such representation shall be dealt with by the second respondent

within three weeks therefrom after notice to the petitioners and the first respondent. The proceedings for allotment of space in the bus station-cum-shopping complex shall be finalised only after orders are passed on the representation if any filed.

The writ petitions are disposed of.

**V.CHITAMBARESH
JUDGE**

DCS