

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

MONDAY, THE 2ND DAY OF MARCH 2015/11TH PHALGUNA, 1936

WP(C).No. 13253 of 2014 (F)

PETITIONER(S):

1. **V.K. SIVADASAN**
VALLANGAL HOUSE, CHELAKKARA, THRISSUR.
2. **SUNIL P.K.**
BINDHU NIVAS, GRAMAM, CHELAKKARA, THRISSUR
3. **SHINE GEORGE**
MARACHERY PUTHENPURAYIL HOUSE, VENGANELLUR POST
CHELAKKARA, THRISSUR.
4. **ASHRAF K.E.**
KUMMIDIYIL HOUSE, ATTOOR POST, MULLURKKARA, THRISSUR
5. **PRAMOD P.**
POOLAKKAL HOUSE, KALIYAROAD POST, CHELAKKARA
THRISSUR.
6. **T.K. UNNIKRISHNAN**
THOTTUNGAL HOUSE, KILLIMANGALAM POST
CHELAKKARA THRISSUR.
7. **JAYAPRAKASH**
MUDAVAKKIL HOUSE, THOZHUPADAM POST, CHELAKKARA
THRISSUR.
8. **SURESH P.**
APPOZHATH HOUSE, THOZHUPADAM POST, CHELAKKARA
THRISSUR.
9. **SCARIA A.V.**
ALUNGAL HOUSE, KURUMALA POST, CHELAKKARA
THRISSUR.
10. **RAJESH**
MADALIYANGAL HOUSE, KALIYARODE POST
KALAPPARA THRISSUR.
11. **P. KRISHNAKUMAR**
PERUVAZHICKAT HOUSE, KURUMAL P.O, VELUR, THRISSUR

12. M.A. ABDUL AZEEZ
MANAKKALPADATH HOUSE, VETTIKATTIRI POST
CHERUTHURUTHY, THRISSUR.
13. SHANAVAS
CHEERAPPARA HOUSE, A.M.KAVU, P.O., CHELAKKARA THRISSUR.
14. VIMALESH K.K.
KUDAMKUTHI HOUSE, THOZHUPADAM POST
CHELAKKARA, THRISSUR.
15. SUBAIR T.S.
THANIKKAL PEEDIKAYIL HOUSE
THONOORKARA P.O CHELAKKARA THRISSUR.
16. ASHARAF A.A.
AMBALATH HOUSE, MEPADAM, KALTHOTTY
CHELAKODE P.O THRISSUR.
17. MYMOONA H.
17/105, CHEEPARA HOUSE, PATHUKUDI POST
CHELAKKARA THRISSUR.
18. THOMAS K. L.
KUTTIKATTIL HOUSE, CHIRANELLUR POST,
MANALY KECHERI, THRISSUR.
19. DELEEPKUMAR U.K.
UTTUMADATHIL HOUSE, CHIRANELLUR P.O, THRISSUR.
20. BABU
ANANDARURATHUKARAN HOUSE, MOONNUMUR,
MATTATHUR P.O THRISSUR.

BY ADV. SRI.O.D.SIVADAS

RESPONDENT(S):

1. THE REGIONAL TRANSPRT AUTHORITY
THRISSUR 680 020.
2. THE SECRETARY
REGIONAL TRANSPORT AUTHORITY, WADAKKANCHERRY 680 582
3. THE SECRETARY
REGIONAL TRANSPORT AUTHORITY, GURUVAYUR-680 101.
4. THE SECRETARY
REGIONAL TRANSPORT AUTHORITY, CHALAKUDY-680 307

R1 - R 4 BY ADV. GOVERNMENT PLEADER SRI.BIJU MEENATTOOR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 02-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 13253 of 2014 (F)

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1 - TRUE COPY OF THE REGISTRATION CERTIFICATES OF THE PETITIONERS' VEHICLES.

EXT.P2 - TRUE COPY OF THE PERMITS ISSUED TO THE PETITIONER'S VEHICLES.

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

P. A. TO JUDGE

STK

K. VINOD CHANDRAN, J.

W.P.(C) No. 13253 of 2014

Dated this the 2nd day of March, 2015

JUDGMENT

The petitioners are owners of motor cab (taxi) (Tata Magic IRIS 4ST BSIII).

2. The petitioners' contention is that though the petitioners' vehicles have a seating capacity of 4 and tax has been collected for 4 seats, the petitioners are granted permit only to carry 3 passengers.

The learned Government Pleader takes me through the Certificate of Registration, at Form - 23 of Central Motor Vehicle Rules 1989 wherein item No.13 shows the seating capacity as that including driver. The sale certificate to be issued by the manufacturer/dealer at Form-21 also at item No.9, shows the seating capacity as including driver. Hence the petitioners' vehicle can carry only 3 passengers and the seating capacity indicated in the registration certificate includes the driver also. The writ petition is devoid of merit and the same is dismissed. No costs.

Sd/-
K. VINOD CHANDRAN,
JUDGE