

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 12TH DAY OF MAY 2015/22ND VAISAKHA, 1937

WP(C) .No.13175 of 2015 (V)

PETITIONER:

FAISAL, AGED 43 YEARS,
S/O. MAMMU HAJI,
PUTHUPARAMBIL HOUSE,
PARAMMALANGADI,
KALPAKANCHERY,
MALAPPURAM DISTRICT.

BY ADV. SRI.SAJU J.VALLYARA

RESPONDENT:

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

BY SENIOR GOVERNMENT PLEADER, SRI.MUHAMMED SHAFI

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
12-05-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) .No. 13175 of 2015 (V)

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 : PHOTOCOPY OF THE REPLACEMENT APPLICATION DATED 18/04/2015
SUBMITTED BY THE PETITIONER BEFORE THE RESPONDENT.

EXT.P2 : PHOTOCOPY OF THE COVERING LETTER DATED 18/04/2015 SUBMITTED
BY THE PETITIONER BEFORE THE RESPONDENT ALONG WITH EXHIBIT P1.

RESPONDENT'S EXHIBITS : NIL

/TRUE COPY/

P.A.TO JUDGE

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.13175 of 2015

Dated this the 12th day of May, 2015

JUDGMENT

The petitioner is the holder of a regular stage carriage permit in respect of stage carriage bearing No.KL-10-P-8018 on the route Tirur-Irumbiliyam. The petitioner submitted Ext.P1 application for replacement of the above vehicle by a hired vehicle bearing registration No.KL-55-R-3882. The petitioner approached this Court on account of non-consideration of Ext.P1 application.

In the light of the judgment in M.Raveendran v. R.T.O. & another [1995 (1) KLJ 96], if the petitioner is in possession of a vehicle based on a valid agreement, his request for replacement shall be considered. In the light of the dictum as above, even if the petitioner is not the registered owner of the replacing vehicle, his application shall be considered in accordance with law based on possession under the valid agreement. Needful shall be done within a period of one month.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE