

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE SMT. JUSTICE P.V.ASHA

TUESDAY, THE 28TH DAY OF JULY 2015/6TH SRAVANA, 1937

WP(C).No. 13377 of 2015 (V)

PETITIONER:

T.C. THOMAS,
S/O.K.C.CHANDY, THAKADIYEL PARAMBIL HOUSE
CHANNANIKKADU.P.O, KOTTAYAM.

BY ADV. SRI.SAJU J.VALLYARA

RESPONDENT:

THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY, KOTTAYAM-686002.

R BY GOVERNMENT PLEADER SRI NOUSHAD THOTTATHIL

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 28-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

WP(C).No. 13377 of 2015 (V)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXT.P1 PHOTOCOPY OF THE APPLICATION FOR REGULAR PERMIT SUBMITTED BY
THE PETITIONER BEFORE THE RESPONDENT ON 11.11.2014.

EXT.P2 PHOTOCOPY OF THE APPLICATION FOR 4 TEMPORARY PERMIT SUBMITTED
BY THE PETITIONER BEFORE THE RESPONDENT ON 20.04.2015.

EXT.P3 PHOTOCOPY OF THE COVERING LETTER DATED 20.04.2015 SUBMITTED
BY THE PETITIONER ALONG WITH EXHIBIT P2 BEFORE THE RESPONDENT.

EXT.P4 PHOTOCOPY OF THE JUDGMENT IN W.P(C)28029/2014 DATED
27.10.2014.

RESPONDENT(S) ' EXHIBITS

NIL.

/TRUE COPY/

P.S TO JUDGE

P.V.ASHA, J.

W.P(c) No.13377 of 2015-V

Dated this the 28th day of July, 2015

JUDGMENT

The petitioner has approached this Court seeking a direction to the respondent to grant and issue temporary permit to him in respect of his stage carriage bearing Reg.No.KL-05-M-7344 on the route Cherthala-Kottayam (via), considering Ext.P2 application. It is pointed out by the learned Government Pleader that the application submitted by the petitioner was earlier rejected by the respondent and there is no reason for filing another application and seeking orders from this Court. It is also pointed out that the petitioner has earlier approached this Court in W.P(c) Nos.31041/2014 and 33879/2014 with similar requests. But without disclosing the same, the petitioner has approached this Court again.

2. Therefore I do not find any reason to exercise the jurisdiction under Article 226 of the Constitution in favour of the petitioner, who has approached this Court suppressing material facts. Hence the Writ Petition is dismissed.

I find that the manner in which the petitioner approached this Court again, by suppressing the fact that his application was already rejected, cannot be tolerated. Hence I find it necessary to impose at least a nominal cost of Rs.2,000/- (Rupees Two thousand only), which will be remitted to the Junior Lawyers' Welfare Fund. The petitioner will produce a receipt to the same effect before the Registry, within a period of one month.

Sd/-
(P.V.ASHA, JUDGE)

rtr/