

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 8TH DAY OF MAY 2015/18TH VAISAKHA, 1937

WP(C).No. 13614 of 2015 (B)

PETITIONER(S) :

**NOUSHAD, S/O.MOIDEENKUTTY,
OLIYAN HOUSE, KUTTIYERI P.O., MAVICHERY,
TALIPARAMBA, KANNUR.**

BY ADV. SRI.I.DINESH MENON

RESPONDENT(S) :

**THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
KANNUR - 670 001.**

BY GOVERNMENT PLEADER SRI.PFAZIL

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 08-05-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1: TRUE COPY OF THE REGULAR PERMIT ISSUED TO THE PETITIONER.**
- EXT.P2: TRUE COPY OF THE CLEARANCE CERTIFICATE DATED 26.08.2014.**
- EXT.P3: TRUE COPY OF THE RC BOOK OF KL-59-H-900.**
- EXT.P4: TRUE COPY OF THE LEASE AGREEMENT DATED 17.04.2015.**
- EXT.P5: TRUE COPY OF THE REPLACEMENT APPLICATION DATED 20.04.2015
 WITH CHALAN.**
- EXT.P6: TRUE COPY OF THE JUDGMENT IN W.P.(C).NO.8240/2015
 DATED 20.03.2015.**

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

A.MUHAMED MUSTAQUE, J.

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**W.P.(C).No.13614/2015**

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Dated this the 8th Day of May, 2015

J U D G M E N T

The petitioner is aggrieved by non-consideration of Exhibit P5 application for replacement of his vehicle bearing registration No.KL-59-A-6900 by vehicle bearing registration No.KL-59-H-900 to enable the petitioner to operate on the route Payyannur-Kozhikode. Petitioner submits that the regular permit is valid till 19/07/2016 and is not revoked.

2. If the regular permit has not yet been revoked, then the Secretary, RTA shall consider Ext.P5 application and allow it if there is no other legal impediment, provided the petitioner remits an amount of Rs.10,000/- [Rupees ten thousand only] to the Road Safety Fund, in the head of account “0041-00-800-99(02) other receipts”. The payment as directed above shall be made within two weeks from the date of receipt of a certified copy of this judgment.

The writ petition is disposed of as above. No costs.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

ms