

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

TUESDAY, THE 9TH DAY OF JUNE 2015/19TH JYAISHTA, 1937

WP(C).No. 13633 of 2015 (D)

PETITIONER(S) :

**SMT.AN.VASANTHY,
W/O.K.V.SATHYAN, KARIYEZHATH HOUSE, PERINJANAM P.O.,
KODUNGALLURE, THRISSUR DISTRICT.**

BY ADV. SRI.I.DINESH MENON

RESPONDENT(S):

**1. THE REGIONAL TRANSPORT AUTHORITY,
THRISSUR- 680 002.**

**2. THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
THRISSUR-680 002**

BY GOVERNMENT PLEADER SRI.SHYSON.P.MANGUZHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 09-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Msd.

WP(C).No. 13633 of 2015 (D)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1: TRUE COPY OF THE PROCEEDINGS DATED 07-08-2014.

EXHIBIT P2: TRUE COPY OF THE JUDGMENT IN MVARP NO.194/2014.

EXHIBIT P3: TRUE COPY OF THE PROCEEDINGS DATED 28-11-2014.

**EXHIBIT P4: TRUE COPY OF THE JUDGMENT IN W.P(C).NO.9489/2015
DATED 30-03-2015.**

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 13633 of 2015

Dated this the 9th day of June, 2015

J U D G M E N T

The limited prayer in this writ petition is for a direction to the 2nd respondent to pass final orders on the application for regular permit submitted by the petitioner, which was adjourned by Ext.P3.

2. The petitioner submitted an application for regular permit on the route between Triprayar and Mala, which was rejected vide Ext.P1 finding that there was an overlapping of 2.5 kms. Against Ext.P1, the petitioner preferred a statutory revision as MVARP No.194/2014; and as per Ext.P2, the petitioner was given an opportunity to exclude the objectionable overlapping in the notified route and on such an application being submitted, the same would be considered after affording a reasonable opportunity of being heard. The petitioner filed a modified application on the route Chettuva - Mala; and

..2..

thereafter, the application was placed before the RTA, Thrissur at its meeting held on 28.11.2014. As per Ext.P3, the RTA has found fault with the petitioner for extending the route as Chettuva - Mala to exclude the overlapping and insisted that the petitioner should curtail the overlapping portion and deferred the consideration of the application and directed to submit a modified application in compliance of the directions of the STAT. The petitioner has produced Ext.P4 judgment, which covers the identical issue.

3. Heard the learned counsel for the petitioner and the learned Government Pleader.

Considering the nature of the prayer and the nature of the submission, this writ petition is disposed of directing the respondents to consider and pass final orders on the application of the petitioner for regular permit in the light of Ext.P4 judgment within a period of one month after affording the petitioner and the KSRTC, which is an affected party, an opportunity of being heard.

..3..

To facilitate an early action, the petitioner shall be at liberty to produce a copy of this judgment as well as a copy of this writ petition and a copy of Ext.P4 judgment before the respondents at the earliest.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

bka/-