

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

WEDNESDAY, THE 20TH DAY OF MAY 2015/30TH VAISAKHA, 1937

WP(C).No. 13966 of 2015 (U)

PETITIONER :

**ABDUL JABBAR,
SHAMEER MANZIL, SOORANADU SOUTH,
PATHARAM P.O., KOLLAM.**

BY ADV. SRI.O.D.SIVADAS

RESPONDENT(S):

- 1. THE REGIONAL TRANSPORT AUTHORITY,
KOLLAM. PIN-691 001**
- 2. THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
KOLLAM. PIN-691 001**

BY GOVERNMENT PLEADER SRI.SHYSON P. MANGUZHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 20-05-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).No. 13966 of 2015 (U)

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1. TRUE COPY OF THE REPORT OF THE FIELD OFFICER.

EXT.P2. TRUE COPY OF THE PROCEEDINGS DATED 27/2/2015.

RESPONDENT(S)' EXHIBITS:

NIL

/TRUE COPY/

P.A.TO JUDGE

sts

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 13966 of 2015

Dated this the 20th day of May, 2015

J U D G M E N T

The petitioner, who is the operator of an existing stage carriage between Puthensanketham - Bharanikavu, has applied for variation of permit to operate between Puthensankethem to Kottarakara, extending the route from Bharanikavu to Kottarakkara. On the basis of the application, the Field Officer had conducted an enquiry in the matter. According to the petitioner, as per the report, there is no objectionable overlapping of the notified sector on account of the variation of permit as applied for and the application submitted by the petitioner does not offend any notified route, and therefore, there is no violation of Clause 19 of the Scheme.

2. The petitioner is challenging Ext.P2 passed by the Regional Transport Authority, which calls for a further report. According to the petitioner, the said procedure is

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against the Scheme of the Motor Vehicles Act and Rules.

3. Today, when the matter came up for admission, the learned counsel for the petitioner submitted that the petitioner would be satisfied if a direction is given to the Regional Transport Authority to take a final decision in the application submitted by him.

Recording the said submission, the writ petition is disposed of directing the 2nd respondent to place the application of the petitioner along with original report before the 1st respondent, who, on receipt of the same, shall take a final decision within a period of two weeks from the date of receipt of the same.

It shall be open to the petitioner to produce a copy of this judgment along with a copy of this writ petition before the 1st respondent as well as the 2nd respondent at the earliest for a speedy action.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

bka/-