

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE A.V.RAMAKRISHNA PILLAI

MONDAY, THE 15TH DAY OF JUNE 2015/25TH JYAISHTA, 1937

WP(C).No.14434 of 2015 (D)

PETITIONER:

**C.K.MOHANAN,CHEMBUMKEEZHIDATHIL HOUSE,
THILLANKERI P.O.,MATTANNUR,THALASSERY,
REPRESENTED BY THE POWER OF ATTORNEY HOLDER
SRI.BALA MOHANA BABU,RATHIN NIVAS,P.O. PALAYAD
THALASSERY.**

BY ADV.SRI.O.D.SIVADAS

RESPONDENT'S:

- 1. THE SECRETARY,REGIONAL TRANSPORT AUTHORITY,
KANNUR-670001.**

***ADDITIONAL 2ND RESPONDENT IMPEADED**

**ADDL.R2:HASHIM,S/O.NABEESA,KODAYULLAPARAMBATH HOUSE,
GRAMATHI,CHOKI P.O.,THALASSERY.**

***ADDITIONAL 2ND RESPONDENT IMPEADED AS PER ORDER
DATED 29.5.2015 IN IA NO.7021/2015.**

**R1 BY GOVT. PLEADER SRI.T.R.RAJESH.
ADDL.R2 BY ADV.SRI.I.DINESH MENON**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 15-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

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WP(C).No.14434 of 2015 (D)

APPENDIX

PETITIONER'S EXHIBITS:

EXHIBIT P1: TRUE COPY OF THE RELEVANT PORTION OF THE AGENDA OF THE MEETING OF THE REGIONAL TRANSPORT AUTHORITY.

EXHIBIT P2: TRUE COPY OF THE DECISION OF THE REGIONAL TRANSPORT AUTHORITY DATED 22.1.2014.

EXHIBIT P3: TRUE COPY OF THE NOTICE OF TIMING CONFERENCE DATED 30.10.2014 PUBLISHED BY THE RESPONDENT.

EXHIBIT P4: TRUE COPY OF THE JUDGMENT DATED 2.2.2015 IN WPC NO.33543/2014.

EXHIBIT P5: TRUE COPY OF THE APPLICATION DATED 2.3.2015 SUBMITTED BY THE PETITIONER.

EXHIBIT P6: TRUE COPY OF THE JUDGMENT DATED 19.12.2014 IN WPC NO.34693/2014.

RESPONDENT'S EXHIBITS:

EXT.R2(a): TRUE COPY OF THE IMPEADING PETITION DATED 15.12.2014.

EXT.R2(b): TRUE COPY OF THE ADDITIONAL AFFIDAVIT DATED 15.1.2015.

EXT.R2(c): TRUE COPY OF THE PROCEEDINGS DATED 22.1.2014.

//TRUE COPY//

P.S. TO JUDGE

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A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 14434 of 2015

Dated this the 15th day of June, 2015

J U D G M E N T

On account of the delay in issuing permit, which was granted to the petitioner, the petitioner has come up before this Court with this writ petition.

2. The petitioner submitted an application for regular permit on the route between Kariyad and Thalassery. The application for regular permit has been considered by the RTA in the meeting held on 02.01.2014 and the same was granted subjected to settlement of timing. The petitioner alleges that though he has produced the records of the vehicle in time, the permit is not yet issued. Aggrieved by the inordinate delay in issuing the regular permit, the petitioner approached this Court with WP(C) No.33543/2014 seeking appropriate direction to issue regular permit to the petitioner without any further delay. Since the petitioner's vehicle was lying

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idle for so many months on account of the delay in issuing permit, he availed another regular permit for the said vehicle. This fact was reported to this Court and accordingly, the writ petition was closed. After that, the petitioner produced another vehicle bearing Reg.No.KL13/J 3040 on lease agreement and produced the records of the vehicle along with the judgment and requested to issue the permit. According to the petitioner, there is no legal impediment in issuing the permit. Hence, this writ petition.

3. In the counter affidavit filed by the additional 2nd respondent, it is contended that in the absence of any challenge against the decision leading to Ext.P1, which imposed the condition of producing the current records within 30 days, no relief in the nature as sought could be claimed.

4. Arguments have been heard.

Considering the nature of the claim and the nature of contentions taken by the additional 2nd respondent, this

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writ petition is disposed of directing the 1st respondent to settle the timings in respect of the stage carriage operated by the petitioner as well as the additional 2nd respondent in the same timing conference and to issue permits thereafter. The meeting shall be convened within a period of two weeks from the date of receipt of a copy of this judgment.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

bka/-