

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

TUESDAY, THE 19TH DAY OF MAY 2015/29TH VAISAKHA, 1937

WP(C).No. 14603 of 2015 (A)

PETITIONER(S):

**JESSY ABRAHAM, AGED 49 YEARS,
KUREEKKATTU HOUSE, KANCHIYAR P.O., VELLILAMKANDAM
IDUKKI.**

BY ADV. SRI.G.PRABHAKARAN

RESPONDENT(S):

- 1. THE REGIONAL TRANSPORT AUTHORITY
IDUKKI, REPRESENTED BY ITS SECRETARY, PIN 689602.**
- 2. THE SECRETARY
REGIONAL TRANSPORT AUTHORITY, IDUKKI-689602.**

R BY GOVERNMENT PLEADER SMT.M.J.RAJASREE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
19-05-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

WP(C).No. 14603 of 2015 (A)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT-P1: TRUE COPY OF THE REGULAR PERMIT APPLICATION ALONG WITH PROPOSED TIMINGS 28.4.2015.

EXHIBIT-P2: TRUE COPY OF THE CHELAN RECEIPT DATED 28.4.2015.

EXHIBIT-P3: TRUE COPY OF THE TEMPORARY PERMIT APPLICATION DATED 28.4.2014 ON THE ROUTE KUMALY-NEDUMKANDAM TOUCHING SWARNAVILASAM AND VAZHAVARA WITH STATE CARRIAGE KL 33/2530 OR A SUITABLE VEHICLE.

EXHIBIT-P4: TRUE COPY OF THE CHELAN RECEIPT DATE 28.4.2015.

EXHIBIT-P5: TRUE COPY OF THE JUDGMENT DATED 27.10.2014 IN WPC NO.28029/2014.

RESPONDENT(S)' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).NO.14603 OF 2015 (A)

Dated this the 19th day of May, 2015

J U D G M E N T

The petitioner is the owner of a stage carriage bearing registration No.KL 33/2530. She had applied for a temporary permit on the route Kumaly-Nedumkandam touching Swarnavilasam and Vazhavara in the vacancy created by the stage carriage that was regularly operating on the said route. The grievance of the petitioner in the writ petition is that although the petitioner had preferred an application for grant of temporary permit, the same has not been considered by the 2nd respondent.

2. I have heard the learned counsel for the petitioner as also the learned Government Pleader appearing for the respondents.

3. On a consideration of the facts and circumstances of the case as also the submissions made across the bar, I dispose the writ petition with the following directions:

- (i) If there is a vacancy of stage carriage in the route Kumaly-Nedumkandam touching Swarnavilasam and

Vazhavara, and no other person has applied for a temporary permit in that vacancy, the 2nd respondent shall consider the application of the petitioner for the grant of temporary permit and issue a temporary permit of four months duration within one week from the date of production of a certified copy of the judgment, by passing orders on the application preferred by the petitioner.

(ii) It is made clear that the issuance of temporary permit as above will be subject to the preferential claim, if any, of other persons.

A.K.JAYASANKARAN NAMBIAR
JUDGE

prp