

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

FRIDAY, THE 22ND DAY OF MAY 2015/1ST JYAISHTA, 1937

WP(C).No. 14615 of 2015 (B)

PETITIONER(S) :

R. ANISH,
ATHIRA, THEVALLY, KOLLAM-9.

BY ADV. SRI.G.HARIHARAN.

RESPONDENT(S) :

1. THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY
KOLLAM-691 001.
2. JALALUDEEN,
THEKKECHARUVILA VEEDU, KULAPADAM, NEDUMPANA,
P.O. KOLLAM, PIN:691 576.

BY GOVERNMENT PLEADER SMT. K.A.SANJEETHA.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 22-05-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

rvs.

APPENDIX

PETITIONER(S) ' EXHIBITS :

EXHIBIT P1: COPY OF THE PROCEEDINGS DATED 7.6.2014.

EXHIBIT P2: COPY OF THE OBJECTIONS DATED 9.6.2014.

EXHIBIT P3: COPY OF THE OBJECTIONS DATED 8.7.2014.

EXHIBIT P4: COPY OF THE ORDER DATED 21.2.2015 OF THE STATE
TRANSPORT APPELLATE TRIBUNAL MVARP 129/014.

RESPONDENT(S) ' EXHIBITS :

NIL.

/TRUE COPY/

P.A.TO JUDGE

RVS.

A.V.RAMAKRISHNA PILLAI, J.

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W.P(C) No.14615 of 2015

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Dated this the 22nd day of May, 2015

JUDGMENT

The petitioner has approached this Court alleging that unless specific directions are issued to consider Exts.P2 and P3 objections submitted by the petitioner before the first respondent, the petitioner, who is a senior operator would be getting lesser time gap whereas the new entrants would be getting more time gap.

2. The petitioner is the owner of an existing stage carriage operating between Ayoor-Kollam route. He is having two stage carriages bearing nos.KL2 AD/7009 and KL 2 AB/1222. The second respondent applied for regular permit on the Ayoor-Kollam route which was granted by the Regional Transport Authority (RTA). Pursuant to the grant, the Secretary of the RTA allotted settled timings to the second respondent on 7.6.2014. The petitioner alleges that his service proceeds from Kadakkal at 3.40 a.m, passes Ayoor at

4.15 p.m and Ambalamkunnu at 4.35 p.m and then proceeds to Kollam. According to the petitioner, he was enjoying time gap of 13 minutes whereas the second respondent who is a new entrant is allotted with departure time from Kadakkal just ahead of seven minutes. This, according to the petitioner, shall be very beneficial to the new entrant.

3. Highlighting his grievance, the petitioner submitted Exts.P2 and P3 objections dated 9.6.2014 and 8.7.2014 respectively to the first respondent. It is with this background, the petitioner has approached this Court.

4. When the matter came up for admission, the learned counsel for the petitioner confined his argument to the limited prayer for a direction to the first respondent to consider Exts.P2 and P3 objections in a time bound manner.

5. I have heard the learned Government Pleader in the matter.

6. Considering the nature of the relief sought for, the writ petition is disposed of directing the first respondent to consider

Exts.P2 and P3 objections submitted before the first respondent within a period of one month from the date of receipt of a copy of this judgment. To facilitate early action, it shall be open to the petitioner to produce a copy of this writ petition and the copy of the judgment before the first respondent at the earliest.

Sd/-

A.V.RAMAKRISHNA PILLAI
JUDGE

krj