

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

TUESDAY, THE 2ND DAY OF JUNE 2015/12TH JYAISHTA, 1937

WP(C).No. 14619 of 2015 (B)

PETITIONER :

**ANOOP T.,
THADIYAN HOUSE, ERANAVU,
CHERUKUNNU, KANNUR**

BY ADV. SRI.O.D.SIVADAS

RESPONDENT :

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

BY GOVT. PLEADER SMT. K.A. SANJEETHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 02-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

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WP(C).No. 14619 of 2015 (B)

APPENDIX

PETITIONERS' EXHIBITS :

EXHIBIT P1: TRUE COPY OF THE PERMIT ISSUED TO THE PETITIONERS STAGE CARRIAGE.

EXHIBIT P2: TRUE COPY OF THE APPLICATION FOR REPLACEMENT WITH CHELAN DATED 11.5.2015.

EXHIBIT P3: TRUE COPY OF THE JUDGMENT OF THIS HON'BLE COURT IN WP(C) NO.6606 OF 2015.

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 14619 of 2015

Dated this the 2nd day of June, 2015

J U D G M E N T

Alleging inaction on the part of the respondent in granting permission to replace the stage carriage, the petitioner has come up before this Court.

2. The petitioner is an existing stage carriage operator on the route between Kacherithara and Kanur HQ Hospital and the permit was issued in respect of stage carriage No.KL-13/J 1161. The petitioner alleges that on account of mechanical complaint of the vehicle, he obtained clearance certificate by retaining the permit under suspended animation. The petitioner applied for replacement with a suitable vehicle, which has not been granted by the respondent for the reason that he has failed to produce the records of the incoming vehicle within the stipulated period after obtaining clearance certificate. According to the petitioner, the delay in producing the records of the incoming vehicle is not at all a reason to deny

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replacement. It is in this context, the petitioner has approached before this Court.

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

4. When the matter was taken up, the learned counsel for the petitioner confined his argument to the limited prayer for a direction to the respondent to consider and pass appropriate orders on Ext.P2 application in the light of Ext.P3 judgment within a time frame.

Therefore, the writ petition is disposed of directing the respondent to consider and pass appropriate orders on Ext.P2 in the light of Ext.P3 judgment within a period of two weeks from the date of receipt of a copy of this judgment.

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.P3 before the respondent at the earliest.

Sd/-

A.V. RAMAKRISHNA PILLAI
JUDGE

bka/-