

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

FRIDAY, THE 12TH DAY OF JUNE 2015/22ND JYAISHTA, 1937

WP(C).No. 14623 of 2015 (C)

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PETITIONER(S) :

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RENI PETER,  
PULINILKUMKALAYIL HOUSE,  
KOTHANALLOOR.P.O., KOTTAYAM.

BY ADV. SRI.G.PRABHAKARAN.

RESPONDENT(S) :

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THE SECRETARY,  
REGIONAL TRANSPORT AUTHORITY,  
ERNAKULAM. 682 030.

BY GOVERNMENT PLEADER SMT.K.A.SANJEETHA.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 12-06-2015, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:

ivs.

APPENDIX

PETITIONER(S) ' EXHIBITS :

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- EXT. P1- THE TRUE COPY OF THE REGISTRATION CERTIFICATE OF THE  
VEHICLE KL 36/C 7400.
- EXT. P2- THE TRUE COPY OF THE REGISTRATION CERTIFICATE OF THE  
VEHICLE KL 67/1800.
- EXT. P3- TRUE COPY OF THE REQUEST FILED BY THE PETITIONER BEFORE  
RESPONDENT DATED 22.4.2015 VEHICLE NO.36/C 7400 ON THE  
ROUTE PANATHUR - KOTTAYAM.
- EXT. P4- TRUE COPY OF THE REQUEST FILED BY THE PETITIONER BEFORE  
RESPONDENT DATED 22.4.2015 VEHICLE NO.KL 67/1800 ON THE  
ROUTE KOTTAYAM - PANATHUR.
- EXT. P5- TRUE COPY OF THGE JUDGMENT DATED 9.5.2014 IN WPC  
NO.12157/2014.

RESPONDENT(S) ' EXHIBITS :

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NIL.

/TRUE COPY/

P.A.TO JUDGE

RVS.

**A.V. RAMAKRISHNA PILLAI, J.**

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W.P.(C) No.14623 of 2015  
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Dated this the 12<sup>th</sup> day of June, 2015.

**JUDGMENT**

Alleging inaction on the part of the respondent in considering Exts.P3 and P4 requests, the petitioner has come up before this Court.

2. The petitioner is the regular stage carriage permit holder operating between Panathur and Kottayam and now operating with KL 36/C 7400. The petitioner alleges that he is operating another route in opposite direction of the route Kottayam and Panathur with KL 67/1800. The vehicles KL 36/C 7400 and KL 67/1800 are operating on very long routes as Super Express. However, pursuant to the judgment of a Division Bench of this Court, it has become impossible to operate private stage carriage buses in Kerala, touching the 32 routes coming under the scheme of nationalization of KSRTC which include the portions of permits of the petitioner. Therefore, the services have come to an abrupt stop. Accordingly, the petitioner submitted a request to the

respondent to issue permitless certificate/clearance certificate to sell the present vehicle or altering as contract carriage vehicle by keeping the permit under suspended animation, till replacement of vehicles are made when becomes permissible.

3. I have heard the learned counsel for the petitioner and the learned Government Pleader in the matter.

4. The learned Government Pleader on instructions, submitted that the permit expired and the route is already reserved for KSRTC.

As the petitioner's prayer is only for a consideration of Exts.P3 and P4, the writ petition is disposed of directing the respondent to consider Exts.P3 and P4, after affording the petitioner and the KSRTC, an opportunity of being heard, within a period of three weeks from the date of receipt of a copy of this judgment. To facilitate an early action, it shall be open to the petitioner to produce a copy of the writ petition as well as the copy of this judgment before the respondent at the earliest.

**Sd/-**  
**A.V. RAMAKRISHNA PILLAI**  
**JUDGE**