

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. 14646 of 2015 (E)

PETITIONER:

**YASAR P.K,
POOVANKALATHIL KIZHAKKEPURAYIL HOUSE,
KANNAPURAM, CHERUKUNNU, KANNUR.**

BY ADV. SRI.I.DINESH MENON

RESPONDENT:

**THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
KANNUR - 670 001.**

BY SENIOR GOVT. PLEADER SMT.SUNITHA VINOD.K

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

mbr/

WP(C).No. 14646 of 2015 (E)

APPENDIX

PETITIONER(S)' EXHIBITS:

EXHIBIT P1 : TRUE COPY OF THE REGULAR PERMIT ISSUED TO THE PETITIONER.

EXHIBIT P-2 : TRUE COPY OF THE RC BOOK OF KL-13Q 3510.

EXHIBIT P3 : TRUE COPY OF THE REQUEST SUBMITTED BY THE PETITIONER
BEFORE THE RESPONDENT DATED 30-04-2015.

EXHIBIT P4: TRUE COPY OF THE JUDGMENT IN WP(C) NO 35377/2014
DATED 26-12-2014.

RESPONDENT(S)' EXHIBITS: - NIL

/TRUE COPY/

P.S. TO JUDGE

mbr/

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C) No.14646 of 2015

Dated this the 19th day of May, 2015

J U D G M E N T

The prayer in the writ petition is for the issuance of a permit-less Certificate in respect of the vehicle bearing registration No.KL-13 Q 3510 without insisting on a surrender of the permit, issued in respect of that vehicle, to operate on the route Kannur - Puthiyangadi.

2. Heard the learned counsel for the petitioner and the learned Government Pleader appearing for the respondent.

3. On a consideration of the facts and circumstances of the case and the submissions made across the bar, the writ petition is disposed of directing the respondent to consider Ext.P3 request made by the petitioner for the issuance of Clearance Certificate in respect of stage carriage bearing registration No.KL-13 Q 3510, and pass orders thereon without insisting for a surrender of the existing regular permit. The needful in the matter shall be done within one week from the date of production of a copy of this judgment, provided all dues to the Government, including check reports, and also the Kerala Motor Transport Workers' Welfare Fund Board with respect to the vehicle are satisfied. The petitioner shall

produce the current records of the vehicle sought to be substituted within a period of four months from today, failing which the permit shall stand revoked. The writ petition is disposed as above.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE

AV