

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. 14681 of 2015 (I)

PETITIONER:

**NIJAMUDEEN,
BLOCK NO. 96, KOLLAYIL P.O., MADATHARA,
KOTTARAKKARA.**

BY ADV. SRI.O.D.SIVADAS

RESPONDENT:

**THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
KOLLAM-691 001.**

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:**

sts

WP(C).No. 14681 of 2015 (I)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1- TRUE COPY OF THE TEMPORARY PERMIT DATED ISSUED TO THE PETITIONER.

EXHIBIT P2- TRUE COPY OF THE APPLICATION FOR TEMPORARY PERMIT WITH CHELAN.

EXHIBIT P3- TRUE COPY OF THE JUDGMENT DATED 30-11-2014 IN WPC NO. 30860 OF 2014.

RESPONDENT(S)' EXHIBITS: **NIL**

/TRUE COPY/

P.A.TO JUDGE

sts

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).NO.14681 OF 2015 (I)

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- 57/276. He had applied for a temporary permit on the route Erattil - Madathara 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 respondent.

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

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 Erattil - Madathara, and no other person has applied for a temporary permit in that vacancy, the 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

mns