

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

FRIDAY, THE 29TH DAY OF MAY 2015/8TH JYAISHTA, 1937

WP(C).No. 14905 of 2015 (K)

PETITIONER(S):

**BUSHARA A.K.,
W/O.ABDUSSALEEM, 6/8, (8/49),
KOKKANCHERI CHALIL HOUSE, PAZHOOOR P.O.,
MAVOOR VIA, KOZHICODE.**

**BY ADVS.SRI.G.HARIHARAN
SRI.PRAVEEN.H.**

RESPONDENT(S):

- 1. THE SECRETARY,
REGIONAL TRANSPORT AUHTORIY, KOZHIZKODE-673 001.**
- 2. THE REGIONAL TRANSPORT AUTHORITY,
KOZHIZKODE, REPRESENTED BY ITS SECRETARY, PIN-673 001.**

BY GOVERNMENT PLEADER SRI.SHYSON P. MANGUZHA

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
29-05-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 14905 of 2015 (K)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXT.P1. TRUE COPY OF THE REGULAR STAGE CARRIAGE PERMIT OF
BUS NO.KL-11U-8686 ISSUED BY THE RESPONDENTS.**

**EXT.P2. TRUE COPY OF THE DECISION OF RTA, KOZHIKODE MADE IN ITEM NO.93 OF
THE MEETING HELD ON 10/3/2015.**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

A.V.RAMAKRISHNA PILLAI, J

WPC No.14905 of 2015

Dated this the 29th day of May, 2015

JUDGMENT

Aggrieved by the delay on the part of the respondent in issuing varied permit as per Ext.P2 proceedings, the petitioner has come up before this Court.

2. The petitioner is a stage carriage operator and is the registered owner of bus bearing Reg. No.KL-11U-8686 which is covered by a regular stage carriage permit to operate on the inter district route between Kozhikode and Areekode which is valid up to 13.10.2015. The petitioner had made an application for variation of service of the said bus by conducting one additional trip up and down between Mavoor and Kozhikode and conduct an early trip from Mavoor to Areekode. The said application was taken up for consideration after getting concurrence from the sister authority viz. Malappuram in its meeting held on 10.3.2015 by the second respondent as item No.93 and the variation was granted subject to settlement of timings

in accordance with the decision of the State Transport Authority, Kerala vide order made as D3/875/STA/2005 dated 8.11.2011. The petitioner also stated that even after a lapse of two months from the date of taking Ext.P2 decision, the timings for the varied route have not been settled so far and the varied permit has not been issued. It is with this background, the petitioner has come up before this Court.

3. I have heard the learned counsel for the petitioner and the learned counsel for the respondent.

Considering the limited prayer of the petitioner in this writ petition, this writ petition is disposed of directing the first respondent to issue varied permit to the petitioner within a period of two 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 and a copy of this judgment before the respondent.

sd/- A.V.RAMAKRISHNA PILLAI
JUDGE

css/

true copy

P.S.TO JUDGE