

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. 15500 of 2015 (J)

PETITIONER:

**NIBU JOSEPH,
VADAKKUMURIYIL HOUSE, ERAVIPEROOR.P.O.,
PATHANAMTHITTA DISTRICT.**

BY ADV. SRI.O.D.SIVADAS

RESPONDENT:

**THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
PATHANAMTHITTA -689 645.**

BY GOVERNMENT PLEADER SMT. K.A.SANJEETHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 29-05-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).No. 15500 of 2015 (J)

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1 TRUE COPY OF THE PERMIT ISSUED TO THE PETITIONER'S VEHICLE
EXT.P2 TRUE COPY OF THE REQUEST DATED 22/5/2015 SUBMITTED BY THE
 PETITIONER.

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

P.A.TO JUDGE

sts

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 15500 of 2015

Dated this the 29th day of May, 2015

J U D G M E N T

The limited prayer in this writ petition is for a direction to the respondent to consider and pass appropriate orders on Ext.P2, which was submitted by the petitioner for clearance certificate.

2. The petitioner is a stage carriage operator and the permit belonging to him is endorsed to stage carriage No.KL 37/6116 on the route between Karackal and Erumely. The present permit of the petitioner is valid till 30.08.2015. The petitioner alleges that as his vehicle is not fit to operate due to its bad condition, he intends to replace the vehicle by another vehicle. He further alleges that due to financial difficulties, he is not in a position to purchase a new vehicle by retaining the existing vehicle. Hence, he submitted Ext.P2 application to issue clearance certificate for selling his existing vehicle without insisting

..2..

for surrendering the existing permit by retaining the permit under suspended animation. However, the respondent has not granted clearance certificate as sought for. It is in this context, the petitioner has come up before this Court.

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

Considering the nature of the prayer, the writ petition is disposed of directing the respondent to consider and pass appropriate orders on Ext.P2 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 before the respondent at the earliest.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

bka/-