

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

TUESDAY, THE 2ND DAY OF JUNE 2015/12TH JYAISHTA, 1937

WP(C).No. 15871 of 2015 (H)

PETITIONER(S):

**ANISH KUMAR.C.V,
PRANAVAM, KUDUKKIMOTTA, KANHIRODE P.O.
KANNUR.**

BY ADV. SRI.O.D.SIVADAS

RESPONDENT(S):

**THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
KANNUR-670001.**

BY GOVERNMENT PLEADER SMT.K.A. SANJEETHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 02-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

WP(C).No. 15871 of 2015 (H)

APPENDIX

PETITIONERS' EXHIBITS

P1: COPY OF THE REQUEST DATED 22/5/15 SUBMITTED BY THE PETITIONER

P2: COPY OF THE JUDGMENT IN WPC.13005/15 ISSUED BY THIS HON'BLE COURT.

RESPONDENTS' EXHIBIT

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 15871 of 2015

Dated this the 2nd day of June, 2015

J U D G M E N T

Alleging inaction on the part of the respondent in not issuing clearance certificate, the petitioner has come up before this Court.

2. The petitioner is a stage carriage operator, operating on the route between Aralam and Kannur and the permit, which belongs to him is in respect of stage carriage No.KL-13/AC 9007, which is valid till 07.04.2018. The petitioner alleges that as his vehicle is not fit to operate due to its bad condition, he intends to replace the said 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.P1 application to issue clearance certificate for selling his existing vehicle without insisting for surrendering the existing permit by retaining the

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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.P1 in the light of Ext.P2 judgment 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 and a copy of Ext.P2 before the respondent at the earliest.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

bka/-