

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

TUESDAY, THE 9TH DAY OF JUNE 2015/19TH JYAISHTA, 1937

WP(C).No. 16207 of 2015 (A)

PETITIONER(S):

**SILJI, W/O.JIJI, MANKUNNEL HOUSE,
THEKKEKULAM, P.O. PEECHI, THRISSUR.**

BY ADV. SRI.I.DINESH MENON.

RESPONDENT(S):

- 1. THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
THRISSUR - 680 002.**
- 2. K.A. VARGHESE,
S/O.ANTONY, KANJIRATHINKAL HOUSE,
PEECHI P.O., THRISSUR - 680 653.**

R1 BY GOVT. PLEADER SRI.SHYSON P.MANGUZHA.

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 09-06-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

rs.

WP(C).No. 16207 of 2015 (A)

APPENDIX

PETITIONERS' EXHIBITS:

- P1: TRUE COPY OF THE PROCEEDINGS DATED 15/11/2010.
- P2: TRUE COPY FO THE REQUEST DATED 05/02/2015.
- P3: TRUE COPY OF THE JUDGMENT IN WP.(C) NO.13602/2015
DATED 08/05/2015.
- P4: TRUE COPY OF THE TIMINGS NOTICE.
- P5: TRUE COPY OF THE REQUEST DATED 28/05/2015.

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

PA. TO JUDGE

rs.

A.V. RAMAKRISHNA PILLAI,J.

W.P.(c) No. 16207 of 2015

Dated this the 09th day of June, 2015

JUDGMENT

Aggrieved by the inaction of the respondent in fixing the timing of the petitioner's stage carriage, he has come up before this Court.

2. Petitioner is an existing operator, conducting service on the route Peechi Dam – Ayyanthole in respect of stage carriage KL-8 AP 972. Petitioner has been granted with a variation on 15.11.2010 subject to settlement of timings. Petitioner had also submitted a clash free set of timings. As the second respondent did not take any steps for settlement of timings, petitioner moved before this Court by preferring W.P. (C) No. 13602/2015, where in this Court directed the Secretary to settle the timings and issue the varied permit within three months and if the same is not possible to issue the proposed set of timings. Now the second respondent, who is an operator on identical route, had applied for revision of timings on 08.05.2015, suggesting almost

identical timings of the petitioner's service. Though a timing conference was scheduled, the same was adjourned. It is with this background that the petitioner has come up before this Court.

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

4. It is submitted that the petitioner is not against the convening of timing conference in respect of the second respondent's service. However, his only request is that the timings sought for in Exhibit P2 be kept in tact till the settlement of timings based on the direction issued by this Court in W.P. (C) No. 13602/2015.

Therefore, this writ petition is disposed of directing the first respondent to consider the petitioner's Exhibit P2 application for timings in the same conference which considers the timings of the second respondent stage carriage. Till this exercise is completed, the timings sought for in Exhibit P2 shall be kept in tact.

A.V. RAMAKRISHNA PILLAI
JUDGE

DMR/-