

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. 16257 of 2015 (F)

PETITIONER:

**SAINUDHEEN KUNJU ASAN,
S/O.ABOOBACKER ASAN, THASAHIL,
6 MANNANCHERRY PANCHAYATH,
ALAPPUZHA.**

BY ADV. SRI.P.DEEPAK

RESPONDENT:

**THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
ALAPPUZHA - 688 001.**

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:**

mbr/

WP(C).No. 16257 of 2015 (F)

APPENDIX

PETITIONER(S)' EXHIBITS:

**EXT.P-1: A TRUE COPY OF THE TIME SCHEDULE ISSUED TO KL-04/L 9042
 DT.22.4.2013.**

EXT.P-2: A TRUE COPY OF THE REPRESENTATION DATED 8.5.2015.

RESPONDENT(S)' EXHIBITS: - NIL

/TRUE COPY/

P.S.TO JUDGE

mbr/

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 16257 of 2015

Dated this the 2nd day of June, 2015.

JUDGMENT

The limited prayer in this writ petition is for a direction to the respondent for speedy disposal of Ext.P2 representation.

2. The petitioner is operating the service between Mannancherry and Alappuzha Railway Station on the strength of a regular permit issued to his stage carriage bearing registration No.KL-04/L 9042 with a time schedule approved in the year 1992. The petitioner alleges that as per Ext.P1, the departure time from Mannancherry in the penultimate trip is 7.00 p.m. and there is another stage carriage bearing registration No.KL-07/AE 3043 departing from Mannancherry at the same time. The petitioner further alleges that even though both the stage carriages were allotted the same departure time, the petitioner's stage carriage was all along operating from Mannancherry at 6.55 a.m., so that there would be no over-speeding and unhealthy competition between the two stage carriages on the route. This was the tacit concurrence of the permit holder of KL-07/AE 3043 and also the respondent herein. However, the petitioner is aware that this

arrangement cannot be continued indefinitely since the departure time specified in Ext.P1 time schedule is 7.00 p.m. In the circumstances, with a view to regularize his de facto operation, the petitioner has submitted a representation before the respondent for revision of Ext.P1 time schedule.

3. I have heard the learned counsel for the petitioner and the learned Government Pleader in the matter.

Considering the nature of the submissions and the nature of relief sought for, the writ petition is disposed of directing the respondent to consider and pass appropriate orders on Ext.P2 application, after affording the petitioner an opportunity of being heard, within a period of one month 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 as well as the copy of this judgment before the respondent at the earliest.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

Scl.