

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. 16260 of 2015 (F)

PETITIONER :

**SHIJU P.C.,PALAMPARAMBIL HOUSE,
MALLAPPALLY WEST.P.O.,PATHANAMTHITTA.**

BY ADV. SRI.I.DINESH MENON

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 02-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).NO.16260/2015

APPENDIX

PETITIONER'S EXHIBITS:

- P1 COPY OF THE TIMINGS ISSUED TO PETITIONER.**
- P2 COPY OF THE REPRESENTATION DATED 20/5/2015.**
- P3 COPY OF THE JUDGMENT IN WP(C).NO.4472/2014 DATED 14/2/2014.**

RESPONDENT'S EXHIBITS: NIL

/TRUE COPY/

P.A.TO JUDGE

sts

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No.16260 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 the registered owner of a stage carriage bearing registration No.KL-28 A 4959 operating between Changanacherry and Ranni. The petitioner alleges that the time schedule was initially issued to the petitioner's service as early as on 9.9.1999. Subsequent to the introduction of the petitioner's service, lot of new services have been introduced. But in spite of the same, the petitioner stood by his time schedule. After the introduction of the petitioner's service, so many services were were introduced including KSRTC on the route and many services surrendered its permit and hence those timings became vacant. The petitioner intends to make slight changes to the petitioner's service so as to avoid the clash of timings. With this intention, the petitioner submitted a request for revision of timings of his own service. The petitioner further alleges that Rule 145 of the Kerala

Motor Vehicles Rules provides for such circumstances and there are decisions in favour of such consideration such as 2004(1) KLT 493. The respondent has not passed any orders on Ext.P2 representation so far.

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

Considering the nature of the submissions, the writ petition is disposed of directing the respondent to consider and pass appropriate orders on Ext.P2 representation, 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.