

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

WEDNESDAY, THE 3RD DAY OF JUNE 2015/13TH JYAISHTA, 1937

WP(C).No. 16290 of 2015 (I)

PETITIONER :

**ROSY THOMAS
PARACKA HOUSE,
PADUVAPURAM P.O.,
KARUKUTTY, ANGAMALY.**

BY ADV. SRI. P. DEEPAK

RESPONDENT(S) :

**1. THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
ERNAKULAM - 682030**

**2. E.V. BABU
EDASSERRY HOUSE, E.COLONY, ANGAMALY
ERNAKULAM DISTRICT – 683 101.**

**R1 BY GOVT. PLEADER SMT. K.A. SANJEETHA
R2 BY ADV. SRI. K.V. GOPINATHAN**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 03-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

...2/-

WP(C).No. 16290 of 2015 (I)

APPENDIX

PETITIONERS' EXHIBITS :

**EXT. P1: A TRUE COPY OF THE PROCEEDINGS OF THE RTA, ERNAKULAM
DATED 30.10.2014.**

**EXT. P2: A TRUE COPY OF THE JUDGMENT DATED 27.03.2015 IN
WPC.NO.9242/2015.**

**EXT. P3: A TRUE COPY OF THE PROCEEDINGS OF 1ST RESPONDENT DATED
18.05.2015.**

EXT. P4: A TRUE COPY OF THE REPRESENTATION DATED 27.05.2015.

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No.16290 of 2015

Dated this the 2nd day of June, 2015.

JUDGMENT

Seeking a direction from this Court against the first respondent to consider Ext.P4 representation and to propose timings pertaining to the petitioner's stage carriage, the petitioner has come up before this Court.

2. The petitioner is operating a stage carriage between Kadukutty and Kadappara. The petitioner alleges that by Ext.P1 proceedings of the RTA, Ernakulam dated 30.10.2014, the 2nd respondent herein was granted a fresh regular permit to operate on the route between Adivaram - Desom. The regular permit was granted subject to the settlement of timings. However, alleging that the first respondent is making no endeavour to settle the timings and issue the regular permit as ordered by the RTA, the 2nd respondent filed W.P.C No.9242 of 2015 before this Court and by Ext.P2 judgment of this Court directed the first respondent to issue a temporary permit to

the second respondent with the proposed timings pending issue of the regular permit. In compliance with Ext.P2 judgment, the 1st respondent has now issued a temporary permit to the second respondent with the proposed timings. The petitioner further alleges that though the temporary permit issued is valid only for a period of 20 days from 18.5.2015 to 6.6.2015 and the 1st respondent was tentatively scheduled a timing conference on 6.6.2015 to settle the timings in relation to the regular permit granted to the 2nd respondent, the petitioner genuinely apprehends that the settlement of timings would be deferred indefinitely on one account or the other so as to facilitate issue of further temporary permits to the second respondent with the proposed timings. Accordingly, the petitioner has filed Ext.P4 representation before the 1st respondent detailing her objections to the proposed timings and demanding immediate settlement of the timings as ordered by the RTA.

3. I have heard the learned counsel for the petitioner,

the learned Government Pleader and the learned counsel for the second respondent in the matter.

4. The learned counsel for the petitioner confined his argument to the limited prayer for a direction to the first respondent to consider Ext.P4 representation in the timing conference scheduled to be held on 6.6.2015.

Considering the nature of the prayer and the nature of the submissions, the writ petition is disposed of directing the first respondent to consider and pass appropriate orders on Ext.P4 representation in the next meeting scheduled to be held on 6.6.2016, after affording the petitioner and the second respondent an opportunity of being heard. 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 first respondent at the earliest.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

Scl.