

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. 16411 of 2015 (B)

PETITIONER(S):

**V. BHASKARAN, S/O.E. NARAYANAN NAIR,
KOLOT HOUSE, KOLATHUR P.O.,
KASARAGOD DISTRICT.**

BY ADV. SRI.PRASAD CHANDRAN.

RESPONDENT(S):

**THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
KASARAGOD.**

BY GOVT. PLEADER SMT.K.A. SANJEETHA.

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

rs.

WP(C).No. 16411 of 2015 (B)

APPENDIX

PETITIONER'S EXHIBITS:-

EXHIBIT-P1- TRUE COPY OF THE REGULAR PERMIT APPLICATION SUBMITTED BY THE PETITIONER DATED 01/04/2015.

EXHIBIT-P2- TRUE COPY OF THE TEMPORARY PERMIT ISSUED TO THE PETITIONER ON THE ROUTE PANJIKAL - KANHANGAD VALID FROM 20/05/2015 TO 08/06/2015.

EXHIBIT-P3- TRUE COPY OF THE TEMPORARY PERMIT APPLICATION SUBMITTED BY THE PETITIONER ON THE ROUTE PANJIKAL - KANHANGAD DATED 01/06/2015.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

PA. TO JUDGE

rs.

A.V.RAMAKRISHNA PILLAI, J.

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W.P(C) No.16411 of 2015

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Dated this the 3rd day of June, 2015

JUDGMENT

Aggrieved by the non-consideration of Ext.P3 application by the respondent, the petitioner has come up before this Court.

2. The petitioner, who is the registered owner of a stage carriage operator operating on the route between Panjikal and Kanhangad via Adoor, Pandi, Pallanji, Kuttikol, Kottodi, Udayapuram, Kalliyor, Parappalli, Mavunkal, submitted Ext.P1 application for regular permit. The petitioner alleges that at present, there is no service in that area and nobody is conducting operation on the route. Therefore, according to him, the travelling public is put to inconvenience and hardship.

3. The petitioner further alleges that the application for regular permit is pending consideration before the respondent authority. The Legislative Assembly had requested the Chairman of the respondent

authority for introduction of the service; it is alleged. Since the route is vacant and there is need for travelling public for a service, the petitioner submitted an application for temporary permit in order to operate in the place of the said service. When there was a delay in considering the application, the petitioner approached this Court with W.P(C) No.11777/2015 wherein Ext.P2 temporary permit was issued as per directions of this Court. In continuation of the same, he submitted Ext.P3 application for temporary permit for 4 months duration. However, the respondent is not considering the application.

4. Heard the learned counsel for the petitioner and the learned Government Pleader.

Considering the nature of submission and the relief sought for by the learned counsel for the petitioner, this writ petition is disposed of directing the respondent to consider and pass orders on Ext.P3 after affording the petitioner an opportunity of being heard 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 early action, it shall be open to the petitioner to produce a copy of this judgment as well as the copy of the writ petition and Ext.P3 application before the respondent at the earliest.

Sd/-

A.V.RAMAKRISHNA PILLAI
JUDGE

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