

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 JYASHTA, 1937

WP(C).No.16792 of 2015 (Y)

PETITIONER:

**C.K.SATHY,W/O.O.RAJAN,GEETHA NIVAS,P.OVANGAD,
ANJARAKANDY,THALASSERY,KANNUR DISTRICT.**

BY ADV.SRI.O.D.SIVADAS

RESPONDENT:

**THE secretary,
REGIONAL TRANSPORT AUTHORITY,
VATAKARA-673 101.**

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

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 09-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

pk

WP(C).No.16792 of 2015 (Y)

APPENDIX

PETITIONER'S EXHIBITS:

**EXHIBIT P1: TRUE COPY OF THE REQUEST DATED 27.5.2015 SUBMITTED BY
THE PETITIONER.**

**EXHIBIT P2: TRUE COPY OF THE JUDGMENT IN WPC NO.13005 OF 2015
ISSUED BY THIS HON'BLE COURT.**

RESPONDENT'S EXHIBITS:

NIL

//TRUE COPY//

P.S. TO JUDGE

pk

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 16792 of 2015

Dated this the 9th day of June, 2015.

JUDGMENT

Alleging that the respondent has not granted clearance certificate as sought by the petitioner, she has come up before this Court.

2. The petitioner is operating a stage carriage between Parasinikadavu and Kannur via Kozhikode and the permit belonging to the petitioner is endorsed to stage carriage No.KL-13/N 3906. The petitioner alleges that her vehicle is not fit to operate due its bad condition. Further, on account of introduction of KSRTC service on the notified route, the petitioner is not in a position to conduct service profitably. So, the petitioner intents to replace the vehicle by another vehicle. The petitioner further alleges that due to financial difficulties, the petitioner is not in a position to purchase a new vehicle by retaining the existing vehicle. In short, only by utilizing the money derived by selling the present vehicle, the petitioner

would be able to purchase another vehicle so as to replace the existing vehicle. Accordingly, the petitioner submitted an application to issue clearance certificate. But the respondent has not granted clearance certificate as sought by the petitioner.

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

Considering the nature of the prayer and the nature of the submissions, the writ petition is disposed of directing the respondent to consider and pass appropriate orders on Ext.P1, within a period of two weeks 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

W.P.(C) No. 16792 of 2015

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Scl.