

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

FRIDAY, THE 5TH DAY OF JUNE 2015/15TH JYAISHTA, 1937

WP(C).No. 16829 of 2015 (C)

PETITIONER :

HUSSAIN P.K.,
S/O.MAMMED KOYA,
PARAKKANDIYIL HOUSE
KUTTIKATTUR P.O.,
KOZHIKODE DISTRICT.

BY ADV. SRI.SAJU J.VALLYARA

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 05-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

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WP(C).No. 16829 of 2015 (C)

APPENDIX

PETITIONERS' EXHIBITS :

**EXT. P1:- PHOTOCOPY OF THE TEMPORARY PERMIT NO. P.TEM 18/404/2015
DATED 22/5/2015 ISSUED BY THE RESPONDENT TO THE PETITIONER.**

**EXT. P2:- PHOTOCOPY OF THE APPLICATION DTD. 27/5/2015 SUBMITTED BY
THE PETITIONER BFORE THE RESPONDENT.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

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A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 16829 of 2015

Dated this the 5th day of June, 2015

J U D G M E N T

The petitioner is seeking a direction to the 2nd respondent to reissue four months' substitute temporary permit to the stage carriage bearing Reg.No.KL-11-AE-2268 on the route bus bearing Reg.No.KL-56-K-6363 in continuation of Ext.P1 temporary permit by considering Ext.P2 application.

2. The petitioner is the registered owner of a stage carriage bearing Reg.No.KL-11-AE-2268. The RTA, Vatakara has granted a regular permit in respect of stage carriage bearing Reg.No.KL-56-K-6363 to operate on the route between Mullankunnu and Kozhikode via Kuttyadi. The petitioner alleges that since the route bus met with an accident, it is not operating service. Therefore, he submitted an application for the grant of 20 days' substitute temporary permit and he was issued with temporary permit valid from 13.04.2015; and the present temporary permit (Ext.P1) is valid up to 11.06.2015. Before the expiry of Ext.P1, the

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petitioner has applied for reissue of 4 months' temporary permit as per Ext.P2 application. According to the petitioner, the respondent is legally bound to consider and dispose of Ext.P2 application by reissuing temporary permit till the route bus resumes service. Hence, this writ petition.

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

Considering the nature of the submission and the nature of the prayer, this writ petition is disposed of directing the respondent to consider and pass appropriate orders on Ext.P2 after affording the petitioner an opportunity of being heard, within a period of two weeks from the date of receipt of a copy of this judgment. Till that exercise is completed, status quo as on today shall be maintained.

To facilitate an early action, the petitioner shall be at liberty to produce a copy of this judgment as well as a copy of this writ petition before the respondent at the earliest.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

bka/-