

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

WEDNESDAY, THE 10TH DAY OF JUNE 2015/20TH JYAISHTA, 1937

WP(C).No. 16859 of 2015 (F)

PETITIONER:

**NAZEEMA BEEGAM K.N,
W/O. IBRAHIM MUSTHAF,
UKKINI VEETIL HOUSE,
EDAVETTY P.O, THODUPUZZHA.**

BY ADV. SRI.O.D.SIVADAS

RESPONDENT:

**THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
IDUKKI - 685 602.**

BY GOVERNMENT PLEADER SMT.K.A.SANJEETHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 10-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

WP(C).No. 16859 of 2015 (F)

APPENDIX

PETITIONER(S)' EXHIBITS:

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

**EXHIBIT P2 : TRUE COPY OF THE JUDGMENT IN W.P(C) NO 13005 OF 2015
ISSUED BY THIS HON'BLE COURT.**

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

mbr/

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No.16859 of 2015

Dated this the 10th day of June, 2015.

JUDGMENT

Aggrieved by the inaction on the part of the respondent in issuing the clearance certificate, the petitioner has come up before this Court.

2. The petitioner is operating a stage carriage between Vettimattam and Thodupuzha and the permit belongs to the petitioner is endorsed to stage carriage No.KL-5/Q 8485. The petitioner alleges that his vehicle is not fit to operate due to 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 intends to replace the vehicle by another vehicle. Accordingly, the petitioner submitted an application before the respondent to issue clearance certificate to sell the vehicle without insisting the surrendering the existing permit, by retaining the permit under suspended animation. But the respondent has not

granted the 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 in the light of 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.

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.