

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 JYAISHTA, 1937

WP(C).No. 16902 of 2015 (K)

PETITIONER:

- 1. BENNY. P.K., S/O.KOCHAPPU,
PARAPULLY HOUSE, KORAMKULAM,
CHUVANNAMANNUR, THRISSUR.**
- 2. M.G. JAYAPRAKASH, S/O.GOPALAN,
MUNDAPPURATH HOUSE, KALLIDUKKU,
P.O. CHUVANNAMANNUR, THRISSUR.**

BY ADV. SRI.I.DINESH MENON.

RESPONDENTS:

- 1. THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
PALAKKAD-678 001.**
- 2. RAMDAS.M, S/O.MADHAVAN EZHUTHASSAN,
THAZHATH HOUSE, NADAKKAVU,
NEMMARA. P.O, PALAKKAD-678 508.**

R1 BY GOVERNMENT 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:**

rs.

APPENDIX

PETITIONERS' EXHIBITS:

EXT.P1 TRUE COPY OF THE PERMIT OF THE FIRST PETITIONER.

EXT.P2 TRUE COPY OF THE PROCEEDINGS DATED 16.04.1993.

EXT.P3 TRUE COPY OF THE PERMIT OF THE 2ND PETITIONER.

EXT.P4 TRUE COPY OF THE PROCEEDINGS DATED 14.05.1996.

EXT.P5 TRUE COPY OF THE DECISION ITEM 19 DATED 12.08.2014

EXT.P6 TRUE COPY OF THE ROUGH SKETCH.

EXT.P7 TRUE COPY OF THE OBJECTION DATED 05.02.2015.

EXT.P8 TRUE COPY OF THE JUDGMENT IN WP(C).NO.4332/2015
DATED 11.02.2015.

EXT.P9 TRUE COPY OF THE TIMING NOTICE DATED 01.06.2015.

RESPONDENTS' EXHIBITS: **NIL.**

//TRUE COPY//

PA. TO JUDGE

rs.

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No.16902 of 2015

Dated this the 9th day of June, 2015.

JUDGMENT

Alleging that without clarifying the route, the respondent has scheduled a timing conference, even though this Court has directed to consider the petitioners' objection, the petitioners have come up before this Court.

2. Petitioners are operating stage carriage between Meenakshipuram Pullazhi and Thrissur via Kozhinjampara, on the basis of valid regular permit with a settled set of timings. The petitioners allege that the second respondent applied for the grant of a regular permit on the route Thiruvazhiyad Ambalamukku-Govindapuram via Edappadam, Kothakulam, Nemmara, Karimkulam, Kollengode and Kasembrathuchalla in the meeting dated 12.8.2014. Petitioners further allege that without specifying the route from Edappadam to Kothakulam, the timings cannot be settled, as there are two ways from Edappadam to Kothakulam to reach Nemmara, one is via

Kalmukku and the other is via Kanimangalam. It is further alleged that it is for the Regional Transport Authority to clarify the route. Without clarifying the route, it may not be proper for the Secretary, Regional Transport Authority, Palakkad to convene the timing conference, especially, when this Court directed to consider the objections specifically; it is alleged.

3. This Court by the interim order dated 5.6.2015 permitted the timing conference to go on. However, it was made clear that any decision taken in the meeting shall be subject to the final outcome of the writ petition and the decision taken in the meeting shall not be implemented till 9.6.2015.

4. Today, when the matter came up hearing, the learned Government Pleader submits that the timing conference was not held.

5. The learned counsel for the petitioner confined his argument to the limited prayer for a direction to dispose of Ext.P7 within a time frame.

Considering the nature of the submissions, this writ petition disposed of directing the respondent to consider and pass appropriate orders on Ext.P7 in the RTA meeting scheduled to be held on 17.6.2015.

**Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE**

Scl.

The last paragraph of the judgment dated 09/06/2015 in W.P.(C) No.16902/2015 is modified as follows:

“Considering the nature of the submissions, this writ petition disposed of directing the respondent to consider and pass appropriate orders on Ext.P7 in the next RTA meeting.” as per order dated 15/06/2015 in W.P.(C) No.16902/2015.

**Sd/-
Registrar (Judicial)**