

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. 17061 of 2015 (G)

PETITIONER : -

SUHAIL P.A.,
S/O.ABDUL SALAM,
PULINJICKAL HOUSE,
CHEERAMCHIRA P.O.,
CHANGANACHERRY,
KOTTAYAM DISTRICT

BY ADV.SRI.SAJU J.VALLYARA

RESPONDENTS : -

1. THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
KOTTAYAM , PIN 686 002.
2. SRI VARGHESE MATHEW,
BETHEL PULIMOOTTIL,
PAIPADU P.O,
CHANGANACHERRY,
KOTTAYAM DISTRICT

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:

WP(C).No. 17061 of 2015 (G)

APPENDIX

PETITIONER'S EXHIBITS : -

EXHIBIT P1 : COPY OF THE TIMING CONFERENCE NOTICE ISSUED BY THE 1ST
RESPONDENT DATED 15-05-2015.

EXHIBIT P2 : COPY OF THE OBJECTION DATED 22-05-2015 SUBMITTED BY THE
PETITIONER BEFORE THE 1ST RESPONDENT.

RESPONDENTS' EXHIBITS : - NIL.

// TRUE COPY //

P.A. TO JUDGE

DMR/-

A.V. RAMAKRISHNA PILLAI,J.

W.P.(c) No. 17061 of 2015

Dated this the 09th day of June, 2015

JUDGMENT

The petitioner has come up before this Court alleging that the first respondent is going to fix the timings of the stage carriage operated by the second respondent without considering the petitioner's objection.

2. The petitioner is conducting service on the route Thottabhagam – Anjilithanam – Paippad – Changanacherry with his stage carriage bearing Regn. No. KL 01-X-3333 with a set of settled timings. The second respondent was granted with a regular permit on the route Changanacherry – Thiruvalla subject to settlement of timings in respect of stage carriage KL-03-L-9381. Even though the timing conference was scheduled as per Exhibit P1 notice on 04.06.2015, it was adjourned to 18.06.2015. On enquiry of the petitioner, it is revealed that the second respondent is making all

endeavour to get the regular permit issued with the timings proposed by him. The petitioner submitted that if the regular permit is issued to the second respondent's service without hearing the petitioner and his objection, he will be put to great difficulties. He has filed the present writ petition seeking for a direction to the first respondent not to issue the regular permit to the second respondent without settling his timing objection.

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

4. The learned Government Pleader, on instructions, has submitted that the next timing conference is scheduled on 18.06.2015. Therefore, this writ petition is disposed of directing the first respondent to consider petitioner's Exhibit P2 objection in the next timing conference after affording the petitioner and the second respondent an opportunity of being heard.

A.V. RAMAKRISHNA PILLAI
JUDGE

DMR/-