

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. 17068 of 2015 (G)

PETITIONER : -

A.VIJAYAPPAN NAIR,
ANUGRAHA HOUSE,
CHIRAKADAVU CENTRE PO,
PONKUNNAM.

BY ADV.SRI.K.V.GOPINATHAN NAIR

RESPONDENT : -

THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
KOTTAYAM, PIN - 686 002.

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. 17068 of 2015 (G)

APPENDIX

PETITIONER'S EXHIBITS : -

EXHIBIT P1 : TRUE COPY OF THE PROCEEDINGS OF THE RESPONDENT DATED
11.11.2014.

EXHIBIT P2 : TRUE COPY OF THE OBJECTION FILED BY THE PETITIONER
BEFORE THE RESPONDENT DATED 24.12.2014.

EXHIBIT P3 : TRUE COPY OF THE ORDER OF THE STATE TRANSPORT
APPELLATE TRIBUNAL IN M.V.A.R.PNo.22/2015 DATED 7.2.2015.

RESPONDENT'S EXHIBITS : - NIL.

// TRUE COPY //

P.A. TO JUDGE

DMR/-

A.V. RAMAKRISHNA PILLAI,J.

W.P.(c) No. 17068 of 2015

Dated this the 09th day of June, 2015

JUDGMENT

The petitioner has come up before this Court alleging that in spite of Exhibit P3 direction issued by the State Transport Appellate Tribunal, the respondent has not taken any steps for complying the same.

2. Petitioner is the holder of a regular permit to operate service on the route Perumpettty – Vyttila Hub in respect of his stage carriage KL-34/B 1533. The respondent issued a set of timings for the operation of the service on the above said route as per Exhibit P1 order dated 11.11.2014. The operation of the service as per Exhibit P1 does not give benefit to the travelling public since the service is not reaching before the office hours. Various organizations have submitted representation also seeking modification of time schedule of the petitioner's service. Petitioner also filed

Exhibit P2 objection pointing out the difficulty in operation as well as requirement for modification of time schedule in consonance with the request of the public; it is alleged. Challenging allotment of Exhibit P1 timings, petitioner filed statutory revision petition before the State Transport Appellate Tribunal under Section 90 of the Motor Vehicles Act. The Tribunal by Exhibit P3 order directed the respondent to consider Exhibit P2 objection after affording an opportunity to the petitioner in accordance with the law which exactly postulates that the respondent have to convene timing conference after hearing the interested persons and finalize the same in accordance with Rule 212 of the Kerala Motor Vehicles Rules. In spite of Exhibit P3 direction issued by the Tribunal, the respondent has not taken any steps for complying the same.

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

Considering the nature of prayer and submission, this writ petition is disposed of directing the respondent to convene a timing conference and fix the timing of petitioner's vehicle in the light of the directions in Exhibit P3

within a period of three weeks from the date of receipt of a copy of this judgment.

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.

A.V. RAMAKRISHNA PILLAI
JUDGE

DMR/-