

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. 17298 of 2015 (J)

PETITIONER:

**KESAVADAS,
PUTHENVEETIL HOUSE, CHEMBRA. P.O,
THIRUVEGAPURA, PATTAMBI.**

BY ADV. SRI.I.DINESH MENON.

RESPONDENTS:

**1. THE REGIONAL TRANSPORT AUTHORITY,
PALAKKAD-678 001.**

**2. THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
PALAKKAD-678 001.**

BY GOVT. 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:**

rs.

WP(C).No. 17298 of 2015 (J)

APPENDIX

PETITIONERS' EXHIBITS:

EXT.P1 TRUE COPY OF THE PROCEEDINGS DATED 24.10.2014.

EXT.P2 TRUE COPY OF THE JUDGMENT IN MVAA. 50/2015
DATED 05.03.2015.

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

PA. TO JUDGE

rs. S

A.V.RAMAKRISHNA PILLAI, J.

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W.P(C) No.17298 of 2015

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Dated this the 10th day of June, 2015

JUDGMENT

Alleging that the directions in the judgment of the Tribunal dated 5.3.2015 has not been complied with by the respondents, the petitioner has come up before this Court.

2. The petitioner applied for grant of temporary permit on the route Valanchery - Pattambi. The petitioner alleges that the first respondent considered the application for temporary permit on 24.10.2014 by circulation of papers, without hearing him and rejected the same. The petitioner filed statutory appeal before the Tribunal as MVAA No.50 of 2015 and the Tribunal by judgment dated 5.3.2015 remanded the matter back to the Regional Transport Authority for reconsideration. However, his application was not considered.

3. The petitioner further alleges that the Regional Transport Authority is bound to implement the judgment of the Tribunal because as per Section 89(1)(g) of the Motor Vehicles Act, 1988 the judgment of the Tribunal is final. The grievance of the petitioner

is that till date, the directions in Ext.P2 judgment of the Tribunal has not been complied with by the respondents.

4. I have heard the learned counsel for the petitioner and the learned Government Pleader in the matter.

As the limited prayer in this writ petition is only for a direction to the respondents to pass final orders on the basis of Ext.P2, this writ petition is disposed of directing the respondents to pass appropriate orders on the application submitted by the petitioner on the basis of Ext.P2 within a period of two weeks from the date of receipt of a copy of this judgment.

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

Sd/-

A.V.RAMAKRISHNA PILLAI
JUDGE

krj