

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

THURSDAY, THE 11TH DAY OF JUNE 2015/21ST JYAISHTA, 1937

WP(C).No. 17378 of 2015 (V)

PETITIONER :

**ABDULLA
KARIMBIL MIKACHA HOUSE,
VENNIYOOR P.O., MALAPPURAM.**

BY ADV. SRI.G.PRABHAKARAN

RESPONDENT :

**THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY
CUM REGIONAL TRANSPORT OFFICER
MMALAPPURAM - 676 505.**

BY GOVT. PLEADER SMT. K.A. SANJEETHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 11-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

...2/-

WP(C).No. 17378 of 2015 (V)

APPENDIX

PETITIONER(S)' EXHIBITS :

**EXT.P1 TRUE COPY OF THE REQUEST FILED BY THE PETITIONER BEFORE
THE RESPONDENT DATED 4/5/2015 ON THE ROUTE VALANCHERY-
KOZHIKODE AS LSOS WITH STAGE CARRIAGE KL 65/A 3264.**

**EXT.P2 TRUE COPY OF THE JUDGMENT DATED 3/6/2015 IN WPC
NO. 16458/2015.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

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A.V.RAMAKRISHNA PILLAI, J.

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W.P(C) No.17378 of 2015

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Dated this the 11th day of June, 2015

JUDGMENT

This writ petition is filed for a direction to the respondent to consider Ext.P1 request submitted by the petitioner for revision of timings within a time bound manner.

2. The petitioner is a regular stage carriage permit holder operating on the route Valanchery-Kozhikode as LOSO with stage carriage bearing No.KL 65/A 3264. The petitioner alleges that the timing of his service was issued on 6.5.2008. Thereafter several services have been introduced on the route in question and there were several surrender of permits, including the revision of timing of certain services. All these reasons constitute the need for change of existing timing. The petitioner further alleges that after the issue of timing to the petitioner on 6.5.2008, the timing issued to other services happened to be the same. Therefore, a vacant time of the vehicle bearing No.KL 10/A 9599 was asked for. There is clash of timings and competition between the petitioner's service and that of the services that have been introduced later.

3. The petitioner filed Ext.P1 request to revise his timings. His grievance is that if action is not taken on Ext.P1, the timing sought for by him might be taken away by other aspiring operators. However, the respondent is not considering the request. It is with this background, this writ petition is filed.

5. Arguments have been heard.

Considering the nature of the submission made and the relief sought for, this writ petition is disposed of directing the respondent to consider Ext.P1 submitted by the petitioner after affording him an opportunity of being heard, within a period of one month 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 the writ petition as well as copy of this judgment before the respondent at the earliest.

Sd/-

A.V.RAMAKRISHNA PILLAI
JUDGE

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