

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

WEDNESDAY, THE 17TH DAY OF JUNE 2015/27TH JYAISHTA, 1937

WP(C).NO. 17421 OF 2015 (C)

PETITIONER(S):

**SMT.NAFEESA,
W/O. MUHAMMED, THAZHATH HOUSE,
ANDIYOORKUNNU P.O., KOTTAPPURAM,
PULIKKAL, MALAPPURAM DISTRICT.**

BY ADV. SRI.SAJU J.VALLYARA.

RESPONDENT(S):

**THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
MALAPPURAM, PIN:676 505.**

BY GOVT. PLEADER SMT.K.A. SANJEETHA.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 17-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

WP(C).NO. 17421 OF 2015 (C)

APPENDIX

PETITIONER'S EXHIBITS:-

**EXHIBIT P1: PHOTOCOPY OF THE REGULAR PERMIT VIDE NO.P.ST.10/606/1998
ISSUED TO THE PETITIONER BY THE RESPONDENT.**

**EXHIBIT P2: PHOTOCOPY OF TH REQUEST DATED 08.06.2015 SUBMITTED BY
THE PETITIONER BEFORE THE RESPONDENT.**

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.A. TO JUDGE

rs.

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 17421 of 2015

Dated this the 17th day of June, 2015

J U D G M E N T

Seeking for a direction to the respondent to issue clearance certificate by keeping the regular permit under suspended animation without insisting on surrender of existing regular permit, the petitioner has come up before this Court.

2. The petitioner is a regular stage carriage permit holder on the route between Kozhikode and Vazhikkadavu in respect of stage carriage bearing Reg.No.KL-10-AD-8768, which is valid up to 17.03.2018. The petitioner alleges that due to repeated break down of the vehicle, he is not in a position to operate his service promptly and he is intending to replace the above vehicle by a later model vehicle. The petitioner submitted Ext.P2 request before the respondent for release of the vehicle without insisting for the surrender of existing regular

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permit. As the respondent has taken the stand that the clearance certificate for a vehicle covered by the permit can be given only after surrender of the existing regular permit, the petitioner has come up before this Court.

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

Considering the nature of the prayer, the writ petition is disposed of directing the respondent to consider and pass appropriate orders on Ext.P2 application submitted by the petitioner within a period of two 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.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

bka/-