

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. 17585 of 2015 (W)

PETITIONER(S):

**SATHEESH KUMAR M.K.,
S/O.VISWANATHAN, VETTIKATT HOUSE, ATHAVANAD P.O.,
TIRUR, MALAPPURAM DISTRICT.**

BY ADV. SRI.SAJU J.VALLYARA

RESPONDENT(S):

**THE SECRETARY,
REGIONALTRANSPORT AUTHORITY,
MALAPPURAM, PIN - 676 505.**

BY GOVERNMENT 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:**

msv/

WP(C).No. 17585 of 2015 (W)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXT.P1. PHOTOCOPY OF THE REGULAR PERMIT VIDE NO.P.ST 10/2205/2015 ISSUED
TO THE PETITIONER BY THE RESPONDENT.**

**EXT.P2. PHOTOCOPY OF THE REQUEST DATED 21/5/2015 SUBMITTED BY THE
PETITIONER BEFORE THE RESPONDENT.**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 17585 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 Puthanathani and Kuttippuram via Tirur in respect of stage carriage bearing Reg.No.KL-11-S-7119. The petitioner alleges that due to repeated defects 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 permit. As the

..2..

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/-