

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

FRIDAY, THE 12TH DAY OF JUNE 2015/22ND JYAISHTA, 1937

WP(C).No. 17601 of 2015 (A)

PETITIONER(S):

**JAWAHAR, AGED 37 YEARS,
S/O. MOIDEEN, PARAYANVALAPPIL HOUSE,
PALLURUTHY, ERNAKULAM.**

BY ADV. SRI.P.DEEPAK.

RESPONDENT(S):

**THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
ERNAKULAM - 682 030.**

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

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 12-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

WP(C).No. 17601 of 2015 (A)

APPENDIX

PETITIONER'S EXHIBITS:-

- P1 - A TRUE COPY OF THE COMMUNICATION FROM THE DIRECTOR, FATIMA HOSPITAL & RESEARCH CENTRE, PERUMPADAPPU DATED 24.01.2015 ADDRESSED TO THE RESPONDENT HEREIN.**
- P2 - A TRUE COPY OF THE NEWS REPORT AS APPEARED IN THE INDIAN EXPRESS (CITY EXPRESS) DATED 18.02.2015.**
- P3 - A TRUE COPY OF THE APPLICATION FOR ISSUED OF TEMPORARY PERMIT FILED ON 09.06.2015.**
- P4 - A TRUE COPY OF THE JUDGMENT DATED 02.05.2014 IN WP(C).NO. 9695/2014.**

RESPONDENT'S EXHIBITS:- **NIL.**

//TRUE COPY//

PA. TO JUDGE

rs.

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 17601 of 2015

Dated this the 12th day of June, 2015

J U D G M E N T

Seeking for a direction to the respondent to consider and dispose of Ext.P3 application submitted by the petitioner for issue of temporary permit, the petitioner has come up before this Court.

2. The petitioner alleges that stage carriage bearing Reg.No.K-07/R 5589, which has been issued with a regular permit valid for five years on the route between Konam and Ponnekara, defaulted operation even before the expiry of the validity of regular permit. According to the petitioner, it is the only stage carriage granted with regular permit on the said route. He points out that in the vacancy occasioned by the withdrawal of the regular service, several other stage carriages were issued with temporary permits from time to time to conduct substitute service. He further alleges that of late, the route has again fallen vacant. As no other stage carriage is conducting service in the vacant

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timings of the defaulted route bus, the petitioner filed Ext.P3 application for temporary permit for a period of four months to conduct service on the said route. The petitioner seeks a direction to the respondent to consider his application in the light of Ext.P4 judgment.

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

Considering the nature of the prayer, the writ petition is disposed of directing the respondent to consider and pass appropriate orders on Ext.P3 in the light of Ext.P4 judgment 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 along with a copy of Ext.P4 judgment before the respondent at the earliest.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

bka/-