

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. 17645 of 2015 (E)

PETITIONER(S):

**JESNA ANZAR, AGED 22 YEARS,
D/O.SALIM, ALUVILA PUTHEN VEEDU, NADUVILACHERRY,
KANJAVELI PO, KOLLAM.**

BY ADV. SRI.O.D.SIVADAS

RESPONDENT(S):

- 1. THE REGIONAL TRANSPORT AUTHORITY,
KOLLAM- 691001, REPRESENTED BY ITS SECRETARY.**
- 2. THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
KOLLAM 691001.**

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:**

PJ

WP(C).No. 17645 of 2015 (E)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1: TRUE COPY OF THE REPORT OF THE FIELD OFFICER DATED 13.02.2015**
- P2: TRUE COPY OF THE PROCEEDINGS DATED 27.02.2015**
- P3: TRUE COPY OF THE REPORT OF THE FIELD OFFICER OBTAINED AS PER
RIGHT TO INFORMATION ACT**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 17645 of 2015

Dated this the 17th day of June, 2015

J U D G M E N T

Aggrieved by the non issue of regular and temporary permits, the petitioner has come up before this Court.

2. The petitioner applied for regular permit on the route between Kottiyam Poly and Kollam Andamukkom. The petitioner alleges though the application was considered by the RTA in the meeting, it was adjourned and no final order has been passed on the application. He has also applied for a temporary permit on the said route; and though this Court, as per the judgment in WP(C) No.8099/2015, has directed to consider the same, the same has not yet been granted to the petitioner; it is alleged. The petitioner points out that Exts.P1 and P3 reports are in favour of the petitioner. According to the petitioner, the RTA would find some other reason to deny regular permit to the petitioner though the Motor Vehicle

..2..

Act or Rules does not contemplate such rejection, especially, when there is no overlapping of the notified sector as evident from Exts.P1 & P3 reports. Hence, this writ petition.

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

4. When the matter was taken up, the learned counsel for the petitioner confined his argument to the limited prayer for a direction to the respondents to consider and pass appropriate orders on the applications for regular and temporary permits submitted by the petitioner within a time frame.

Therefore, the writ petition is disposed of directing the respondents to consider and pass appropriate orders on the applications for temporary and regular permits submitted by the petitioner taking into account the contents of Exts.P1 & P3 reports. The application for temporary permit shall be considered by the 2nd respondent within a period of two weeks and the

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application for regular permit shall be considered by the 1st respondent within a period of one month 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 respondents at the earliest.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

bka/-