

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. 17705 of 2015 (K)

PETITIONER :

**HASHIM, S/O.NABEESA,AGED 34 YEARS,
KODAYULLA PARAMBATH, CHOKLI P.O.,
THALASSERY.**

BY ADV. SRI.I.DINESH MENON

RESPONDENT :

**SECRETARY,
REGIONAL TRANSPORT AUTHORITY, KANNUR - 670 001.**

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:**

bp

WP(C).No. 17705 of 2015 (K)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT-P1: TRUE COPY OF THE JUDGMENT IN W.P(C) 4371/2015
DATED 11/02/2015.**

EXHIBIT-P2: TRUE COPY OF THE TEMPORARY PERMIT DATED 13/02/2015.

EXHIBIT-P3: TRUE COPY OF THE PROCEEDINGS DATED 22/01/2014.

**EXHIBIT-P4: TRUE COPY OF THE TEMPORARY PERMIT APPLICATION
DATED 10/06/2015 ALONG WITH CHALAN.**

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 17705 of 2015

Dated this the 17th day of June, 2015

J U D G M E N T

Alleging inaction on the part of the respondent in considering the application for the reissue of substitute temporary permit, the petitioner has come up before this Court.

2. The petitioner, who is the registered owner of stage carriage bearing Reg.No.KL-13 J 6309, applied for a regular permit on the route between Kariyad and Thalassery in place of stage carriage bearing Reg.No.KL-4 N 9167. As the basic permit of the said vehicle expired and the basic permit holder had not applied for renewal, he has been operating on the basis of temporary permit on the very same route in the vacant timings of stage carriage bearing Reg.No.KL-4 N 9167, which was valid till 12.06.2015. He has also applied for regular permit on the said route, which was granted by the RTA subject to

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settlement of timings as yet another operator also applied for regular permit on the very same route seeking for the very same set of timings. The RTA granted regular permit to that operator also subject to settlement of timings. According to the petitioner, as nobody has applied for temporary permit in the vacancy of stage carriage bearing Reg.No.KL-4 N 9167 and he is presently operating in the vacant timings, he is entitled for temporary permit. It is in this context, the petitioner has come up before this Court.

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 respondent to consider and pass appropriate orders on Ext.P4 within a time frame.

Therefore, the writ petition is disposed of directing the respondent to consider and pass appropriate orders

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on Ext.P4 within a period of two weeks from the date of receipt of a copy of this judgment. The present state of affairs shall be continued till the disposal of the application.

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/-