

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

MONDAY, THE 15TH DAY OF JUNE 2015/25TH JYAISHTA, 1937

WP(C).No. 17830 of 2015 (C)

PETITIONER(S) :

**SANDEEP R.P,
RAMANTHARA HOUSE, P.O.VEMBALLUR,
KODUNGALLUR.**

BY ADV. SRI.I.DINESH MENON

RESPONDENT(S) :

**THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
THRISSUR- 686 002.**

BY GOVERNMENT PLEADER SMT.K.A.SANJEETHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 15-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Msd

WP(C).No. 17830 of 2015 (C)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1: TRUE COPY OF THE PROCEEDINGS DATED 20.12.2014.

**EXHIBIT P2: TRUE COPY OF THE ORDER IN MVARP NO.32/2015
DATED 25.02.2015.**

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A.TO JUDGE

Msd

A.V.RAMAKRISHNA PILLAI, J.

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W.P(C) No.17830 of 2015

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Dated this the 15th day of June, 2015

JUDGMENT

Aggrieved by the non-implementation of the order of State Road Transport Appellate Tribunal, the petitioner has come up before this Court.

2. The petitioner was an applicant for grant of regular permit on the route between Kundur and Mala. The application was made in the year 2013. The application for regular permit was considered by the respondent in its meeting held on 19.7.2013 and the permit was granted subject to settlement of timings; it is alleged. It is further alleged that after the lapse of several months, the Secretary of respondent granted regular permit on 27.12.2013, with a set of timings which, according to the petitioner, cannot be practically performed.

3. The timings were given to start the service at 3.30 a.m in the morning and to halt at 9.10 p.m. The petitioner also sought for the vacant timings of another vehicle which was not considered. After a series of litigations, the timings were settled on 20.12.2014. Since the grievance of the petitioner was not solved, he filed statutory revision before the Tribunal as MVARP No.32/2015. The Tribunal by order dated 25.2.2015 allowed the revision petition and directed to reconsider the objections and to pass appropriate orders.

4. The petitioner points out that being a subordinate authority, the respondent is bound to implement the order of the Tribunal because as the order has become final as per Section 89(1)(g) of the Motor Vehicles Act. However, till date the order of the Tribunal has not been complied with. It is with this background, the petitioner has approached this Court.

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

Considering the nature of the relief sought for and the submission made, this writ petition is disposed of directing the respondent authority to dispose of the application submitted by the petitioner within a period two weeks from the date of receipt of a copy of this judgment.

To facilitate an early action, it shall be open to the petitioner to produce a copy of this judgment as well as a copy of the writ petition before the respondent at the earliest.

Sd/-

A.V.RAMAKRISHNA PILLAI
JUDGE

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