

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

TUESDAY, THE 16TH DAY OF JUNE 2015/26TH JYAISHTA, 1937

WP(C).No. 17832 of 2015 (D)

PETITIONER :

**ANITHAN K.P., S/O.PRABHAKARAN,
KAROTTU HOUSE, MANNAMPETTA, P.O.VARAKKARA,
THRISSUR, REPRESENTED BY POWER OF ATTORNEY, BABY C.P.,
CHAKKALAKKAL HOUSE, PALISSERY P.O., THRISSUR.**

BY ADV. SRI.I.DINESH MENON

RESPONDENT(S):

**THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
THRISSUR - 680 002.**

***ADDL.R2 IMPEADED**

***ADDL.R2: K.K.VINOD, AGED 38 YEARS,
S/O.KOCHAPPU, KODOYAN HOUSE,
MARIYAPURAM, THRISSUR DISTRICT.**

***ADDL.R2 IS IMPEADED AS PER ORDER DATED 16/06/2015 IN IA.NO.8126/2015**

**R1 BY GOVERNMENT PLEADER SMT. K.A.SANJEETHA
ADDL.R2 BY ADV. SRI.M.JITHESH MENON**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 16-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).No. 17832 of 2015 (D)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1 - TRUE COPY OF THE INTERIM ORDER IN WPC NO.4601/2015 DATED 16.2.2015**
- P2 - TRUE COPY OF THE TEMPORARY PERMIT DATED 21.2.2015**
- P3 - TRUE COPY OF THE TEMPORARY PERMIT APPLICATION DATED 10.6.2015
WITH CHALAN.**

RESPONDENT(S)' EXHIBITS: **NIL**

/TRUE COPY/

P.A.TO JUDGE

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A.V.RAMAKRISHNA PILLAI, J.

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W.P(C) No.17832 of 2015

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Dated this the 16th day of June, 2015

JUDGMENT

The prayer in this writ petition is for a direction to the respondent authority to consider the application for temporary permit submitted by the petitioner.

2. The petitioner is the holder of a regular permit on the route Mariyapuram-Thrissur which is valid till 3.6.2014. He submitted an application for renewal belatedly along with a petition to condone the delay, which according to him, is pending consideration. The petitioner intends to replace his vehicle with a later model vehicle bearing No.KL-10 R 7352.

3. The petitioner alleges that there was a dispute relating to the old vehicle regarding payment of premium. Since he had not submitted the application in time, he had applied for temporary permit under Section 87(1)(c) of the Act. That application was not

processed. Hence, the petitioner preferred W.P(C) No.4601 of 2015 wherein by Ext.P1, temporary permit was ordered to be issued. Accordingly, Ext.P2 temporary permit was issued which is valid till 16.6.2015.

4. The grievance of the petitioner is that since the question of renewal is still pending, he preferred Ext.P3 application for re-issue on 10.6.2015. However, it could not evoke any positive response. It is with this background, the petitioner has approached this Court.

5. I have heard the learned counsel for the petitioner and the learned Government Pleader in the matter.

6. Considering the nature of the submission and the relief sought for, this Court is of the view that the application for re-issue of temporary permit submitted by the petitioner can be disposed of.

Therefore, the writ petition is disposed of directing the respondent to consider and dispose of Ext.P3 application submitted by the petitioner within a period of two weeks from the date of

receipt of a copy of this judgment after affording the petitioner an opportunity of being heard.

The existing state of affairs regarding operation shall continue till a decision is taken on Ext.P3 application.

Sd/-

A.V.RAMAKRISHNA PILLAI
JUDGE

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