

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

FRIDAY, THE 19TH DAY OF JUNE 2015/29TH JYAISHTA, 1937

WP(C).No. 17853 of 2015 (F)

PETITIONER(S):

**M.P. YASODHA,
W/O.BALAKRISHNAN, MATHRODAN PALORA HOUSE,
KANAYIL P.O, PAYYANUR.**

BY ADV. SRI.O.D.SIVADAS

RESPONDENT(S):

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

BY GOVERNMENT PLEADER SMT.K.A.SANJEETHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 19-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

WP(C).No. 17853 of 2015 (F)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1. COPY OF THE REQUEST DATED 8.5.15 SUBMITTED BY THE PETITIONER.

**EXHIBIT P2. COPY OF THE JUDGMENT IN WPC 13005 OF 2015 ISSUED BY THIS
HONOURABLE COURT.**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 17853 of 2015

Dated this the 19th day of June, 2015

J U D G M E N T

Aggrieved by the non consideration of Ext.P1 application submitted by the petitioner for clearance certificate, the petitioner has come up before this Court.

2. The petitioner is an existing operator on the route between Payyannur and Thottamkadavu with stage carriage bearing Reg.No.KL 13 N/2131. The petitioner alleges that as his vehicle is not fit to operate due to its bad condition, he intends to replace the vehicle by another vehicle. He further alleges that due to financial difficulties, he is not in a position to purchase a new vehicle by retaining the existing vehicle. Hence, he submitted Ext.P1 application to issue clearance certificate for selling his existing vehicle without insisting for surrendering the existing permit by retaining the permit under suspended animation. However, the respondent has not granted clearance certificate as sought for. It is in this context, the petitioner has come up

before this Court.

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

4. 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.P1 application in the light of Ext.P2 judgment within a time frame.

Considering the nature of the submission, this writ petition is disposed of directing the respondent to consider and pass appropriate orders on Ext.P1 application in the light of Ext.P2 judgment after affording the petitioner an opportunity of being heard, 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 before the respondent at the earliest.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

bka/-