

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. 18056 of 2015 (F)

PETITIONER(S):

**MURALIDHARAN.K, AGED 43 YEARS,
S/O. KRISHNAN, MALMADAM HOUSE, AKATHETHARA PO,
PALAKKAD.**

**BY ADVS.SRI.G.HARIHARAN
SRI.PRAVEEN.H.**

RESPONDENT(S):

- 1. MR.SURESH,
S/O T. BALARAMACHANDRAN, VIGNESH ILLAM, 100 FEET ROAD,
SEKHARIPURAM POST, PALAKKAD 678 001.**
- 2. REGIONAL TRANSPORT AUTHORITY,
PALAKKAD REPRESENTED BY ITS SECRETARY- 678 001.**
- 3. THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY, PALAKKAD 678 001.**
- 4. THE DISTRICT TRANSPORT OFFICER,
KSRTC, PALAKKAD 678 001.**

**R1 BY ADV. SRI.G.PRABHAKARAN
R2 & 3 BY GOVERNMENT PLEADER SMT.K.A.SANJEETHA
R4 BY SRI.P.C.CHACKO, SC**

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

PJ

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1 TRUE COPY OF THE RELEVANT PORTION OF THE MINUTES OF MEETING OF THE REGIONAL TRANSPORT AUTHORITY, PALAKKAD DATED 12/2/2015 EVIDENCING GRANT OF REGULAR PERMIT TO THE PETITIONER ON THE ROUTE MARUTHAKODE PALAKKAD STADIUM BUS STAND
- EXT.P2 TRUE COPY OF THE MEMORANDUM OF REVISION PETITION MADE IN MVARP NO 67/2015 FILED BY THE 3RD RESPONDENT BEFORE THE HON'BLE STATE TRANSPORT APPELATE TRIBUNAL , ERNAKULAM
- EXT.P3 TRUE COPY OF THE MVARP NO 68/2015 FILED BY THE 3RD RESPONDENT BEFORE THE HON'BLE STATE TRANSPORT APPELATE TRIBUNAL , ERNAKULAM
- EXT.P4 TRUE COPY OF THE COMMON ORDER PASSED IN MVARP NOS 67/2015 AND MVARP NO 68/2015 VIDE ORDER DATED 27/5/2015
- EXT.P5 TRUE COPY OF THE JUDGMENT MADE IN WPC NO 4158/2014 DATED 31/3/14
- EXT.P6 TRUE COPY OF THE JUDGMENT MADE IN WA NO 708/2014 DATED 25/5/14

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 18056 of 2015

Dated this the 16th day of June, 2015.

JUDGMENT

The petitioner is aggrieved by Ext.P4 common order by which Ext.P1 grant of regular permit to the petitioner was set aside, which according to the petitioner is against Ext.P5 judgment.

2. The petitioner is the grantee of a regular stage carriage permit to operate between Maruthakode and Palakkad Stadium Bus stand via Railway Colony, vide proceedings dated 12.2.2015 by the 2nd respondent. The petitioner alleges that the said grant was made after he was constrained to approach this Court several times and after the route being inspected by an Advocate Commissioner. In the meantime, the first respondent herein has filed MVARP Nos.67 & 68 of 2015 against Ext.P1 which was allowed by the STAT vide common order dated 27.5.2015 whereby Ext.P1 grant was set aside. The matter was remanded back to the 2nd respondent for

reconsideration. It is with this background, the petitioner has come up before this Court.

3. I have heard the learned counsel for the petitioner and the learned counsel for the party respondent, the learned Standing Counsel for the KSRTC and the learned Government Pleader in the matter.

It appears from the matter now placed on record that by Ext.P4 order, the Regional Transport Authority was directed only to reconsider the matter afresh. Therefore, the writ petition is disposed of directing the second respondent to afford the petitioner and affected parties including KSRTC an opportunity of being heard, while reconsidering the matter. The entire exercise shall be completed within a period of one month 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 the writ petition as well as the copy of this judgment before the second respondent at the earliest.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

Scl.