

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.18057 of 2015 (F)

PETITIONER:

**MURALIDHARAN.K,S/O.KRISHNAN,
MALMADAM HOUSE,AKATHETHARA P.O,
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,PALAKAD- 678001**
- 2. REGIONAL TRANSPORT AUTHORITY,
PALAKAD,REPRESENTED BY ITS SECRETARY,
PIN-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 & R3 GOVT.PLEADER SMT.K.A.SANJEETHA.
R4 BY SRI.P.C.CHACKO,SC,KERALA STATE ROAD TRANSPORT
CORPN.**

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

pk

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 EVIDENCEING 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 APPELLATE TRIBUNAL, ERNAKULAM.**

**EXT.P3:TRUE COPY OF THE MEMORANDUM OF REVISION PETITION MADE IN
MVARP NO.68/2015 FILED BY THE 3RD RESPONDENT BEFORE THE
HON'BLE STATE TRANSPORT APPELLATE 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 31/3/2014.**

**EXT.P6:TRUE COPY OF THE JUDGMENT MADE IN W.A. NO.708/2014
DATED 25/5/2014.**

RESPONDENT'S EXHIBITS:

NIL

//TRUE COPY//

P.S. TO JUDGE

pk

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 18057 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 passed 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 case 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 exercises 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.