

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE A.V.RAMAKRISHNA PILLAI

FRIDAY, THE 26TH DAY OF JUNE 2015/5TH ASHADHA, 1937

WP(C).No.18297 of 2015 (J)

PETITIONER:

**BIJU,S/O.ANANDANACHARI,MUKKADA,
PARIPPALLY,KOLLAM-691574.**

BY ADV.SRI.O.D.SIVADAS

RESPONDENT:

**THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
KOLLAM-691001.**

BY GOVT. PLEADER SMT.K.A.SANJEETHA.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 26-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

pk

WP(C).No.18297 of 2015 (J)

APPENDIX

PETITIONER'S EXHIBITS:

**EXHIBIT P1-TRUE COPY OF THE REQUEST DATED 12-06-2015 SUBMITTED BY
THE PETITIONER.**

**EXHIBIT P2-TRUE COPY OF THE JUDGMENT IN WPC NO.13005 OF 2015 ISSUED
BY THIS HON'BLE COURT.**

RESPONDENT'S EXHIBITS:

NIL

//TRUE COPY//

P.S. TO JUDGE

pk

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 18297 of 2015

Dated this the 26th day of June, 2015

J U D G M E N T

The limited prayer in this writ petition is for a direction to the respondent to consider and pass appropriate orders on Ext.P1, which was submitted by the petitioner for clearance certificate.

2. The petitioner is a stage carriage operator and the permit belonging to him is endorsed to stage carriage No.KL 17 G/9846 on the route between Parippally and Kalluvathukkal. 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

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

Considering the nature of the prayer, the writ petition is disposed of directing the respondent to consider and pass appropriate orders on Ext.P1 without insisting for surrender of existing permit, 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/-

W.P.(C) No. 18297 of 2015

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Vehicle No.“KL 17G/9846” occurring in the 3rd line of 2nd paragraph of the judgment dated 26.6.2015 in WP(C) No.18297/2015 is corrected and substituted as “KL 17C/9846”, vide order dated 21.7.2015 in I.A. No.9855/2015 in WP(C) No.18297/2015.

Sd/-
Registrar (Judicial)