

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. 18746 of 2015 (P)

PETITIONER :

**UMESHKUMAR,
UDAYAVILASAM THOTTUPURATHU THEKETHIL HOUSE,
AMAYANNUR P.O., KOTTAYAM.**

BY ADV. SRI.P.DEEPAK

RESPONDENT :

**THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
KOTTAYAM-686 001.**

BY GOVERNMENT 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:**

sts

WP(C).No. 18746 of 2015 (P)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXT.P1. TRUE COPY OF THE REQUEST FOR CLEARANCE CERTIFICATE FILED
 ON 19/6/2015.**

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

PA.TO JUDGE

sts

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 18746 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 regular permit belonging to him is endorsed to stage carriage No.KL 05 AG/528 on the route between Kayoor and Kottayam, which is valid till 10.11.2016. The petitioner alleges that as he is under severe financial stress, he intends to sell the vehicle to raise urgent funds. 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 so as to enable him to resume service with a suitable other vehicle in a few

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months' time. 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/-