

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

MONDAY, THE 29TH DAY OF JUNE 2015/8TH ASHADHA, 1937

WP(C).No. 18901 of 2015 (K)

PETITIONER(S):

**SHIFA. A.B, D/O K.I BASHEER,
AMBATTUPARAMBIL HOUSE, AKSHARA NAGARA,
MANTHAKKAD, MALAMPUZHA, PALAKKAD DISTRICT.**

BY ADV. SRI.I.DINESH MENON

RESPONDENT(S):

- 1. REGIONAL TRANSPORT AUTHORITY,
PALAKKAD 678 001.**
- 2. THE SECRETRARY,
REFGIONAL TRANSPORT AUTHOREITY,
PALAKKAD 678 001.**

BY GOVERNMENT PLEADER SMT.K.A.SANJEETHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 29-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

WP(C).No. 18901 of 2015 (K)

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1: TRUE COPY OF APPLICATION FOR REGULAR PERMIT DATED 13/5/2015

EXT.P2: TRUE COPY OF THE TEMPORARY PERMIT APPLICATION DATED 13/5/2015

EXT.P3: TRUE COPY OF THE AGENDA OF THE MEETING

EXT.P4: TRUE COPY OF THE REPORT DATED 16/5/2015

EXT.P5; TRUE COPY OF THE REPRESENTATION OF PUBLIC.

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 18901 of 2015

Dated this the 29th day of June, 2015.

JUDGMENT

The petitioner is aggrieved by the non-consideration of regular permit application on the route between Valiyakad and Olavakode and the non-issue of temporary permit taking into consideration of the pending application for regular permit to operate within the tribal settlement areas in spite of the fact, there is a report filed by the officer stating that there is urgent need for valid temporary permit.

2. The petitioner is an applicant for the grant of a regular permit on the route between Valiyakad and Olavakode before the first respondent. The petitioner alleges that the route in question passes through rural and interior areas wherein the traveling public are put to difficulties for want of adequate travelling facilities. The application for regular permit was submitted strictly in accordance with the provisions of the Motor Vehicles Act, 1988 and its Rules thereunder, after

remitting the requisite fee of Rs.5,600/- as early as on 13.5.2015. Pending consideration of temporary permit application was also submitted. The report was in favour of the petitioner and the report says that there is urgent need of a temporary permit also on the route in question. The application for regular permit was boarded up for consideration on 17.6.2015, but the meeting was adjourned; it is alleged. 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 Senior Government Pleader in the matter.

4. The learned Senior Government Pleader on instructions submitted that both the applications are posted to be considered during the last week of July. However, taking into account Ext.P4 report by the second respondent which points out the urgent need, this Court is of the view that the matter cannot wait till this date.

Therefore, the writ petition is disposed of directing the

Secretary, Regional Transport Authority, Palakkad to consider and pass positive orders on Ext.P2 application for temporary permit on the route Valiyakad - Olavakode. The consideration of the entire process including the grant of permit shall be completed within a period of two weeks 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.