

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

TUESDAY, THE 30TH DAY OF JUNE 2015/9TH ASHADHA, 1937

WP(C).No. 18906 of 2015 (K)

PETITIONER :

**K.A.RASHEED, AGED 55 YEARS,
KARUKAPPADATH HOUSE, KARA P.O., EDAVILANGU
KODUNGALLUR, THRISSUR DISTRICT**

**BY ADVS.DR.K.P.SATHEESAN (SR.)
SRI.P.MOHANDAS (ERNAKULAM)
SRI.ANOOP.V.NAIR
SRI.S.VIBHEESHANAN**

RESPONDENTS :

- 1. THE SECRETARY
REGIONAL TRANSPORT AUTHORITY, THRISSUR**
- 2. REGIONAL TRANSPORT OFFICER,
REGIONAL TRANSPORT OFFICE, THRISSUR**

R1 & R2 BY GOVERNMENT PLEADER SMT. K.A. SANJEETHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 30-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

WP(C).No. 18906 of 2015 (K)

APPENDIX

PETITIONER(S)' EXHIBITS

P1: TRUE COPY OF THE PERMIT ISSUED TO THE PETITIONER.

P2: TRUE COPY OF THE REPRESENTATION DATED 15.06.2015.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 18906 of 2015

Dated this the 30th day of June, 2015.

JUDGMENT

The petitioner is seeking a direction to the respondent to issue a clearance certificate on the basis of Ext.P2 representation.

2. The petitioner holds a regular permit to conduct service on the route between Azhikode and Mala Pallippuram issued in respect of a stage carriage bearing registration No.KL-27-1055, which is valid till 27.1.2020. The petitioner alleges that the route in question is a short route and the distance between the two termini is only 10 k.m. However, owing to the construction of a railway over-bridge at Fathimapuram, an intermediate point, the vehicles are being diverted through an alternative line of travel. Consequently, the stage carriage is required to traverse an additional 15 k.m. in every trip. Hence, it has become virtually impossible to adhere to the time schedule issued to the service. It is understood that the bridge would be ready for vehicular traffic in another six months. It was in the above circumstances, the

petitioner filed an application before the respondent herein for the issue of a clearance certificate in respect of the above vehicle by keeping the permit in suspended animation. However, the respondent is not entertaining Ext.P2 representation; 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 the respondent has received Ext.P2 representation.

In the light of the said submission, the writ petition is disposed of permitting the petitioner to produce a copy of Ext.P2 along with this judgment before the respondent this week itself. On receipt of the same, the same shall be considered and appropriate orders shall be issued without insisting for surrender of permit.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

Scl.