

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. 18907 of 2015 (K)

PETITIONER :

**MOOTTAPARAMBAN FAISAL,
S/O.MOHAMMED, MOTTAPARAMBAN HOUSE,
THENNALA P.O., VALAKKULAM, MALAPPURAM DISTRICT**

**BY ADVS.SRI.G.HARIHARAN
SRI.PRAVEEN.H.**

RESPONDENT :

**THE SECRETARY, REGIONAL TRANSPORT AUTHORITY
MALAPPURAM 676 505**

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

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBITP1: TRUE COPY OF THE REGULAR PERMIT RELATING TO BUS
NO KL-10M-9856**

**EXHIBITP2: TRUE COPY OF THE APPLICATION DATED 19.6.2015 FILED BY THE
PETITIONER BEFORE THE RESPONDENT.**

**EXHIBIT P3: TRUE COPY OF THE JUDGMENT MADE IN WPC NO.16186/2015
DATED 5.6.2015**

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 18907 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 is a stage carriage operator and is the registered owner of bus No.KL-10 M - 9856 which is covered with a regular stage carriage permit to operate between Theyyala and Prappanangadi via Vylathur, which is valid upto 6.4.2020. The petitioner alleges that the vehicle in question is a 2002 model and due to frequent mechanical defects, the vehicle is not suitable for regular operation on the route in question and hence the petitioner had decided to dispose of the vehicle and to procure a later model vehicle for the purpose of operation of service on the above route. Hence the petitioner has made an application for the issuance of the clearance certificate in respect of the above mentioned vehicle without insisting for surrender of permit vide application dated

19.6.2015. However, the respondent is reluctant to take a decision on Ext.P2 application filed by the petitioner; 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 within a period of two weeks without insisting for surrender of permit.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

Scl.