

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.19229 of 2015 (C)

PETITIONER:

**ANNAKUTTY,AGED 60 YEARS,W/O.MATHAI,
ANATHARAKKAL HOUSE,PONNUKARA P.O,
BHARATHA,THRISSUR-680306.**

BY ADV.SRI.M.JITHESH MENON

RESPONDENT:

**THE SECRETARY,REGIONAL TRANSPORT AUTHORITY,
THRISSUR-680001.**

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.19229 of 2015 (C)

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1:TRUE COPY OF THE JUDGMENT IN MVAA NO.25/2014 DATED 4.9.2014.

EXT.P2:TRUE COPY OF THE ORDER OF THE REGIONAL TRANSPORT AUTHORITY
THRISSUR DATED 12.3.2015.

EXT.P3:TRUE COPY OF THE LETTER SUBMITTED BY THE PETITIONER
DATED 27.5.2015

RESPONDENT'S EXHIBITS:

NIL

//TRUE COPY//

P.S. TO JUDGE

pk

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 19229 of 2015

Dated this the 26th day of June, 2015.

JUDGMENT

The petitioner has approached this Court seeking for a direction to the respondent to implement Ext.P2 by convening a timing conference for settling the timings and issuing the varied permit to the petitioner within a time limit.

2. The petitioner is an existing operator on the route between Pulpallikunnu and Trissur via Chembankandam by stage carriage KL-7/D 7159. The petitioner alleges that he had applied for variation of the above said regular permit by way of extension from Marottichal Kappela Junction to Pulpallikunnu and for an extension to Marottichal Centre to Vallur. After a series of litigations, the variation was allowed in part by the Regional Transport Authority, Thrissur by order dated 3.12.2013 by disallowing the prayer for curtailment. The petitioner had sought for curtailment for the reason that the portion of the road from Marottichal Kappela to Pulpallikunnu

was completely damaged and not fit for use. The petitioner had therefore challenged the above said order dated 3.12.2013 by filing appeal before the STAT as MVAA 25/2014. The STAT allowed the appeal by Ext.P1 judgment and in compliance with the same, the variation was granted by the RTA, Thrissur by Ext.P2 order, by which the petitioner was permitted to curtail the portion from Marottichal Kappela to Pulpallikunnu till the road is repaired. On receipt of Ext.P2, the petitioner had produced the current records of the vehicle bearing registration No.KL-17/D 7159 and requested for settling the timing and issuing the varied permit. However, in spite of repeated requests, respondent has not taken any steps even to issue notice to convene timing conference for settling the timings for the purpose of issuing the variation.

3. I have heard the learned counsel for the petitioner and the learned Government Pleader in the matter.

Considering the nature of the submissions and the nature of the relief sought for, the writ petition is disposed of directing

the respondent to convene a timing conference for settling the timings and issuing the varied permit to the petitioner within a period of one month 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 respondent at the earliest.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

Scl.