

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. 19543 of 2015 (P)

PETITIONER :

**SABU,S/O.OUSEPH,
ATTOKKARAN HOUSE, PALAYAMPARAMBU,
THRISSUR.**

BY ADV. SRI.G.PRABHAKARAN

RESPONDENT(S):

- 1. THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
THRISSUR - 680 001.**
- 2. THE REGIONAL TRANSPORT AUTHORITY,
THRISSUR, REPRESENTED BY ITS SECRETARY - 682 030.**

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:**

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APPENDIX

PETITIONER(S)' EXHIBITS

- P1: TRUE COPY OF THE PROCEEDINGS OF THE RTA GRANTED REGULAR PERMIT WITHITS NO.G/246444/2014 DATED 12/3/2015 IN ITEM NO.10, OPERATING ON THE ROUTE THIRUTHA - KODUNGALLUR - MALA - CHALAKUDY- KORATTY - VELLANGALLUR
- P2: TRUE COPY OF THE REQUEST SUBMITTED BY THE PETITIONER BEFORE THE RESPONDENT DATED 19/5/2015.
- P3: TRUE COPY OF THE MASS PETITION SUBMITTED BY THE PUBLIC BEFORE THE RESPONDENT CHAIRMAN CUM DISTRICT COLLECTOR, THRISSUR
- P4: TRUE COPY OF THE REQUEST FILED BY LOCAL MLA DATED 2/11/2014.
- P5: TRUE COPY OF THE REQUEST FILED BY KUZHOOR GRAMA PANCHAYATH PRESIDENT DATED 7/11/2014.
- P6: TRUE COPY OF THE REQUEST FILED BY POYYA GRMA PANCHAYATH PRESIDENT DATED 6/11/2014.
- P7: TRUE COPY OF THE PROPOSED CLASH FREE TIMING
- P8: TRUE COPY OF THE JUDGMENT DATED 3/5/2013 IN WPC NO.11254/2013.

RESPONDENT(S)' EXHIBITS:

NIL

/TRUE COPY/

P.A.TO JUDGE

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A.V.RAMAKRISHNA PILLAI, J.

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W.P(C) No.19543 of 2015

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Dated this the 30th day of June, 2015

JUDGMENT

Aggrieved by the non-issue of permit which was already granted to him, the petitioner has come up before this Court.

2. The petitioner has applied for the grant of regular stage carriage permit on the route between Thirutha, Kodungallur, Mala, Chalakudy, Koratty and Vellangallur which was considered by the RTA in its meeting held on 12.3.2015 as item No.10 and the RTA was pleased to grant the permit as requested. The petitioner alleges that he has produced the records relating to the vehicle bearing no. KL 8/T 4397 in time and requested to issued the granted permit.

3. The petitioner further alleges that this permit is not implemented so far and it is understood that the timing conference to issue the granted permit is not fixed at all. The petitioner points out that there is a duty cast upon the Secretary, RTA to issue the granted permit. It is stated that the route is a totally ill served one and the students and others are suffering for want of a service on this route.

3. It is further stated that the petitioner has produced a clash free proposed time which has been shown in the agenda and the permit could be issued with that proposed timing with liberty to settle the timing objections if any received, later, after issue of permit, since Ext.P1 permit granting proceeding do not contain the timing objections of any of the operators. Hence, this writ petition.

4. Heard the learned counsel for the petitioner and the learned Government Pleader.

Considering the nature of the relief sought for and the submission made, this writ petition is disposed of directing the respondents to issue the permit which was already granted to the petitioner with settled timings within a period of one month from the date of receipt of a copy of this judgment.

Sd/-

A.V.RAMAKRISHNA PILLAI
JUDGE

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