

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. 19545 of 2015 (P)

PETITIONER(S):

1. HYDARALI,
S/O.HAIDROS HAJI, KONGATHU HOUSE, ALANALLOOR P.O.,
MANNARKAD, PALAKAD.
2. PLIYAKATH ALIKHAN,
S/O.MOHAMMED HAJI, PALAKAL HOUSE, KALLADIKODE P.O.,
MANNARKAD, PALAKAD.
3. PADMAJA,
W/O.RAJESH KUMAR, PULLAROTIL HOUSE, PULLASSERY P.O.,
MANNARKAD, PALAKAD.
4. P.E.MOIDEENKUTTY,
S/O.MOHAMMED, ELANGOTTIL HOUSE, KALLADIKODE P.O.,
MANNARKAD, PALAKAD.

BY ADVS.SRI.P.V.JAYACHANDRAN
SRI.S.SUDHEESHKAR
SRI.E.B.SHIVANANDAN
SRI.NIDHI BALACHANDRAN
DR.K.S.NIZAR

RESPONDENT(S):

1. THE REGIONAL TRANSPORT AUTHORITY,
REGIONAL TRANSPORT OFFICE, MANNARKAD, PALAKKAD,
REPRESENTED BY ITS SECRETARY.
2. THE SECRETARY,
REGIONAL TRANSPORT OFFICE, MANNARKAD, PALAKAD.
3. LAKHSMIKUTTY,
W/O.KESAVAN, KIZHAKKEKARA, P.O.PANAYAMPADM,
MANNARKAD, PALAKAD.

R1 & R2 BY GOVERNMENT PLEADER SRI.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:**

msv/

WP(C).No. 19545 of 2015 (P)

APPENDIX

PETITIONER(S)' EXHIBITS

P1: TRUE COPY OF THE OBJECTION DATED 24/6/2015

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

MsV/

A.V.RAMAKRISHNA PILLAI, J.

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W.P(C) No.19545 of 2015

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Dated this the 30th day of June, 2015

JUDGMENT

The petitioners are senior operators, operating their stage carriage with the settled set of timings for the last 15 years on the route between Njattrakadavu and Palakkad which is a notified route to which, the 3rd respondent submitted applications for issuance of temporary and regular permits with a set of running time. According to the petitioner, no new permit or temporary permit can be issued in a notified route for stage carriage operation.

2. The petitioner alleges that the time schedule now sought by the 3rd respondent in her application if granted would be in serious time clash with the running times of the petitioners' stage carriages. Therefore, the petitioners submitted Ext.P1 objection and respondents 1 and 2 are legally duty bound to consider Ext.P1.

3. The petitioners allege that since they are senior operators on the route, they are entitled for the objection for granting regular permit or temporary permits. Therefore, Ext4.P1 objection has to be considered by the respondents on the date of consideration of

the application of the 3rd respondent. It is with this background, the petitioners have come up before this Court.

4. Arguments have been heard.

Considering the nature of the relief sought for and the submissions made, this writ petition is disposed of with a direction to the respondents to consider Ext.P1 objection along with the application submitted by the 3rd respondent and pass appropriate orders on the same within a period of three weeks from the date of receipt of a copy of this judgment.

To facilitate early action, it shall be open to the petitioner to produce a copy of this judgment as well as copy of the writ petition before the respondent concerned at the earliest.

Sd/-

A.V.RAMAKRISHNA PILLAI
JUDGE

krj