

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

WEDNESDAY, THE 1ST DAY OF JULY 2015/10TH ASHADHA, 1937

WP(C).No. 19678 of 2015 (H)

PETITIONER(S) :

**MARIA JOBY,
JOBY SADANAM HOUSE, KONNI P.O, PATHANAMTHITTA,
REPRESENTED BY THE POWER OF ATTORNEY HOLDER
SAMUEL VARGHESE, JOBI SADANAM, ATTACHAKAL P.O., KONNI,
PATHANAMTHITTA DISTRICT.**

BY ADV. SRI.K.V.GOPINATHAN NAIR

RESPONDENT(S) :

**THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
IDUKKI, PIN- 685 602.**

BY GOVERNMENT PLEADER SMT.K.A.SANJEETHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 01-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' EXHIBITS

- P1: TRUE COPY OF THE ORDER OF THE STATE TRANSPORT APPELLATE TRIBUNAL IN MVARP NO.25/2013 DATED 21.12.2013.**
- P2: TRUE COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER BEFORE THE RESPONDENT DATED 02.01.2014.**
- P3: TRUE COPY OF THE REPORT OF THE FIELD OFFICER SIGNED ON 27.05.2015.**
- P4: TRUE COPY OF THE NOTICE OF THE RESPONDENT SIGNED ON 16.06.2015 FIXING THE TIMING CONFERENCE TO 25.06.2015.**

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 19678 of 2015

Dated this the 1st day of July, 2015

J U D G M E N T

The limited prayer in this writ petition is for a direction to the respondent to consider and pass appropriate orders on Ext.P2 application, which was submitted by the petitioner for modification of time schedule as per the direction of the Tribunal.

2. The petitioner is an existing operator on the route between Thoramkudy and Erumely and the permit is issued in respect of stage carriage bearing Reg.No.KL-2/N 2503 as Fast Passenger Service. Aggrieved by the time schedule issued to her, which, according to her, includes unnecessary halting on intermediate stations, she challenged the same before the State Transport Appellate Tribunal; and the as per Ext.P1, the Tribunal found that the grievance of the petitioner is genuine and permitted her to approach the respondent for modification of time schedule. Accordingly, she filed Ext.P2 application. Her grievance is

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that though the timing conference was scheduled to be held on 25.06.2015, the same has not been convened; and again, it is adjourned. Hence, this writ petition.

3. Heard the learned counsel for the petitioner and the learned Government Pleader in the matter.

Considering the nature of the submission and the nature of relief sought for, this writ petition is disposed of directing the respondent to consider and pass appropriate orders on Ext.P2 after affording the petitioner and other operators an opportunity of being heard, taking into account Ext.P1 judgment of the appellate tribunal and Ext.P3 report of the Motor Vehicles Inspector, within a period of one month from the date of receipt of a copy of this judgment.

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

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

bka/-