

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

TUESDAY, THE 7TH DAY OF JULY 2015/16TH ASHADHA, 1937

WP(C).No. 19853 of 2015 (F)

PETITIONER(S):

**K.S.RAMADAS, S/O.SADANANDAN,
KANAKKATTUSSERY HOUSE, PALLIPURAM P.O., CHERAI,
NORTH PARAVOOR.**

BY ADV. SRI.PRASAD CHANDRAN

RESPONDENT(S):

**THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
ERNAKULAM, PIN. 682 030.**

BY GOVERNMENT PLEADER SMT.K.A.SANJEETHA

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

PJ

WP(C).No. 19853 of 2015 (F)

APPENDIX

PETITIONER(S)' EXHIBITS

**P1 - TRUE COPY OF THE REGULAR PERMIT ISSUED TO THE PETITIONER ON THE
ROUTE NORTH PARUR - VYPIN VALID UP TO 4.4.2018**

**P2 - TRUE COPY OF THE REGISTRATION CERTIFICATE OF STAGE CARRIAGE KL-
07/BA 7767.**

P3 - TRUE COPY OF THE APPLICATION FOR REPLACEMENT DATED 26.6.2015

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 19853 of 2015

Dated this the 7th day of July, 2015.

JUDGMENT

The petitioner has approached this Court seeking a direction to the respondent to consider his application for replacement of his stage carriage.

2. The petitioner is holding a regular permit on the route between Vypin and North Parur valid upto 4.4.2018. The petitioner alleges that the existing vehicle is a 2006 model vehicle with 33 seats. The petitioner procured 2005 model vehicle with 38 seats and applied for replacement as per Ext.P3 application. The seating capacity of the outgoing and incoming vehicles do not differ by more than 25%. In other words, there is no material difference between the two vehicles. Because of the failure on the part of the respondent in performing his statutory duty, the petitioner is put to irreparable injury and hardship; it is alleged.

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

4. Today, when the matter came up for hearing, the learned Senior Government Pleader on instructions submitted that though the petitioner was asked to produce the records relating to his vehicle, he did not produce the same. In answer to the said submission, the learned counsel for the petitioner would submit that he is ready to produce the records as directed by the respondent.

Therefore, the writ petition is disposed of permitting the petitioner to produce the records pertaining to his vehicle before the authority concerned within a period of one month from the date of receipt of a copy of this judgment and in the event of submitting such records, the application shall be considered and disposed of in accordance with law, within a period of one week thereafter.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

Scl.