

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

WEDNESDAY, THE 8TH DAY OF JULY 2015/17TH ASHADHA, 1937

WP(C).No. 19894 of 2015 (J)

PETITIONER:

**MUJEEB RAHMAN, AGED 44 YEARS,
S/O.SAITHAJI, POTTANAMCHALI HOUSE, PULPATTA.P.O,
VIA MANJERI, MALAPPURAM DISTRICT.**

BY ADV. SRI.PRASAD CHANDRAN

RESPONDENT(S)/RESPONDENT:

- 1. THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
MALAPPURAM, PIN-676505.**
- * ADDL.R2- 7 IMPEADED**
- 2. P.M.SULAIMAN, PUTHUSSERI MADATHIL HOUSE,
NARUKARA P.O., MANJERI.**
- 3. P.M.ALAVI, PUTHUSSERI MADATHIL HOUSE,
NARUKARA P.O., MANJERI.**
- 4. P.M.ABDULLAKUTTY, PUTHUSSERI MADATHIL HOUSE, NARUKARA P.O.,
MANJERI.**
- 5. KUNJUMHAMMED, KOLLAPARAM,BAN HOUSE, NSS COLLEGE ROAD,
MANJERI**
- 6. K.P.MHAMMED, KOLLAPARAM,BAN HOUSE, NSS COLLEGE ROAD, MANJERI.**
- 7. KUNHI MOHAMMED, ARANHIKKAL HOUSE, CHETTIPARA, ERANHIKODE P.O.,
WANDOOR.**

ADDL.R2-7 ARE IMPEADED AS PER ORDER DATED 8/7/2015 IN IA.9444/15

**R1 BY GOVERNMENT PLEADER SMT.K.A. SANJEETHA
R.2-R7 BY ADV. SRI.STALIN PETER DAVIS**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 08-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

WP(C).No. 19894 of 2015 (J)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1 TRUE COPY OF THE REGULAR PERMIT APPLICATION SUBMITTED BY THE
PETITIONER ON THE ROUTE MANJERI-KIZHISSERI DATED 30.01.2015**
- P2 TRUE COPY OF THE 4 MONTHS TEMPORARY PERMIT APPLICATION
SUBMITTED BY THE PETITIONER ON THE ROUTE MANJERI-KIZHISSERI
DATED 24.6.2015**
- P3 TRUE COPY OF THE COVERING LETTERS SUBMITTED ALONG WITH THE
TEMPORARY PERMIT APPLICATION DATED 24.06.2015.**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 19894 of 2015

Dated this the 8th day of July, 2015

J U D G M E N T

Aggrieved by the inaction on the part of the 1st respondent in considering Ext.P2 submitted by the petitioner for temporary permit, the petitioner has come up before this Court.

2. The petitioner, who is the registered owner of a stage carriage bearing Reg.No.KL-10/N 9475, filed Ext.P1 application for grant of regular permit to operate on the route between Manjeri - Kizhisseri, along with a set of timings suggested by him for the operation of service. According to the petitioner, the route length is having a distance of 17.5 km with 12 single trips. The RTA, in its meeting held on 21.05.2015, considered the application and orders are awaited. Pending grant of regular permit, he submitted Ext.P2 application for grant of temporary permit. As the same has not been considered by the 1st respondent so far, the petitioner has come up before this Court.

3. I have heard the learned counsel for the

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petitioner and the learned Government Pleader in the matter.

4. When the matter was taken up, the learned counsel for the additional respondents 2 to 7 submitted that the additional respondents are operating on the very same portion, in respect of which, temporary permit is sought by the petitioner.

However, the matter is left open to be decided by the 1st respondent; and the writ petition is disposed of directing the 1st respondent to consider and pass appropriate orders on Ext.P2 application after affording the petitioner and the additional respondents 2 to 7 an opportunity of being heard, within a period of two weeks 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 1st respondent at the earliest.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

bka/-