

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.19917 of 2015 (L)

PETITIONER:

**SHIHABUDEEN,S/O.ABDUL KHADAR,
THONDALIL KIZHAKKEPURAM,
SASTHAMCOTTA,KOLLAM DISTRICT.**

BY ADV.SRI.O.D.SIVADAS

RESPONDENT'S:

- 1. THE REGIONAL TRANSPORT AUTHORITY,
KOLLAM-691001.**
- 2. THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
KOLLAM-691001.**

BY GOVT. PLEADER SMT.K.A.SANJEETHA.

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

pk

WP(C).No.19917 of 2015 (L)

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1:TRUE COPY OF THE APPLICATION WITH CHALLAN FOR REGULAR
PERMIT SUBMITTED BY THE PETITIONER DATED 30.12.2014.

EXT.P2:TRUE COPY OF THE PERMIT ISSUED ON 21.4.2015.

EXT.P3:TRUE COPY OF THE APPLICATION FOR CLEARANCE CERTIFICATE
DATED 17.10.2014.

EXT.P4:TRUE COPY OF THE CLEARANCE CERTIFICATE DATED 18.10.2014.

RESPONDENT'S EXHIBITS:

NIL

//TRUE COPY//

P.S. TO JUDGE

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A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 19917 of 2015

Dated this the 8th day of July, 2015

J U D G M E N T

Aggrieved by the non consideration of Ext.P1 application for regular permit, the petitioner has come up before this Court.

2. The petitioner applied for regular permit on the route between Kayamkulam and Kollam in the vacant timing of stage carriage bearing Reg.No.KL 2 T/1684. The application for regular permit is pending. It has to be considered by the 1st respondent. For that, the 2nd respondent has to place the matter for consideration. According to the petitioner, since there is vacancy of a defaulted service as evident from Ext.P4 clearance certificate, the RTA has to consider the application taking note of the fact that the route sought by the petitioner is vacant and there is no impediment in granting the regular permit. Hence, this writ petition.

3. Heard the learned counsel for the petitioner and

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the learned Government Pleader.

4. When the matter was taken up, the learned senior Government Pleader, on instructions, submitted that the earlier permit holder has also applied for regular permit.

The writ petition is disposed of directing the respondents to consider and pass appropriate orders on Ext.P1 in the light of Exts.P2 & P4, after affording the petitioner and the affected parties including the existing permit holder an opportunity of being heard, 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 along with copies of Exts.P2 & P4 before the respondents at the earliest.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

bka/-