

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. 20005 of 2015 (A)

PETITIONER:

**PRADEESH, S/O.MATHEW,
MADATHIL HOUSE, VAZHAKULAM P.O.,
MUVATTUPUZHA, ERNAKULAM.**

BY ADV. SRI.PRASAD CHANDRAN

RESPONDENT:

**THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
MUVATTUPUZHA, PIN - 686661.**

BY GOVERNMENT 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:**

mbr/

WP(C).No. 20005 of 2015 (A)

APPENDIX

PETITIONER(S)' EXHIBITS:

**EXHIBIT-P1: TRUE COPY OF THE REGULAR PERMIT IN RESPECT OF STAGE
CARRIAGE KL-05/R 525.**

**EXHIBIT-P2: TRUE COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER
BEFORE THE RESPONDENT DATED 15.6.2015.**

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

mbr/

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 20005 of 2015

Dated this the 8th day of July, 2015

J U D G M E N T

Seeking a direction to the respondent to issue clearance certificate, the petitioner has come up before this Court.

2. The petitioner is a stage carriage operator and the regular permit belonging to him is endorsed to stage carriage No.KL-05/R 525 on the route between Kothamangalam and Koothattukulam via Muvattupuzha. As the petitioner intends to replace the vehicle by a later model vehicle, he applied for obtaining permitless certificate/clearance certificate so that he can dispose his vehicle and obtain a suitable vehicle for conducting service. For consideration of the same, he had approached this Court with WP(C) No.4820/2015; and this Court directed the respondent to replace the vehicle within four months. However, the petitioner could not

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produce the vehicle within the stipulated time; and therefore, he sought extension of time to replace the vehicle. Intimating the above aspects, the petitioner submitted Ext.P2 application for issue of clearance certificate/permitless certificate. The petitioner's grievance is that the respondent has not granted clearance certificate till date. Hence, this writ petition.

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

4. The learned senior Government Pleader, on instructions, submitted that the petitioner obtained permit on 31.01.2015 and, later, obtained clearance certificate as per judgment dated 16.02.2015 for four months. Therefore, according to the learned senior Government Pleader, Ext.P2 can be considered as an application for fresh permit.

5. The learned counsel for the petitioner confined his argument to the limited prayer for a direction to the respondent to consider and pass appropriate orders on

Ext.P2 within a time frame.

Therefore, this writ petition is disposed of directing the respondent to consider and pass appropriate orders on Ext.P2 application, 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 respondent at the earliest.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

bka/-