

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. 20137 of 2015 (N)

PETITIONER(S):

**PRAKASH,
S/O.GOPALAN, PUTHUPARAMBIL HOUSE, RANDAMPADAM,
MANIMOOLY, VAZHICKADAVU, MALAPPURAM.**

BY ADV. SRI.SAJU J.VALLYARA

RESPONDENT(S):

**THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
MALAPPURAM, PIN- 676 505.**

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:**

msv/

WP(C).No. 20137 of 2015 (N)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXT P1- PHOTOCOPY OF THE REGULAR PERMIT VIDE NO.P.ST.10/123/1995 ISSUED
TO THE PETITIONER BY THE RESPONDENT.**

**EXT P2- PHOTOCOPY OF THE REQUEST DATED 29/06/2015 SUBMITTED BY THE
PETITIONER BEFORE THE RESPONDENT.**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

MsV/

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 20137 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 without insisting for surrender of the existing permit, 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-56-B-9306 on the route between Manjeri and Kozhikode. The petitioner alleges that due to repeated break down of his vehicle, he intends to replace the vehicle by a later model vehicle. He further alleges that due to financial difficulties, he is not in a position to purchase a new vehicle by retaining the existing vehicle. Hence, he submitted Ext.P2 application before the respondent for release of the vehicle from the permit and for clearance certificate so as to alienate the vehicle

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without insisting for surrendering the existing permit by retaining the permit under suspended animation. However, the respondent has not granted clearance certificate as sought for. It is in this context, the petitioner has come up before this Court.

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

Considering the nature of the prayer, 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/-