

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

FRIDAY, THE 3RD DAY OF JULY 2015/12TH ASHADHA, 1937

WP(C).No. 20145 of 2015 (P)

PETITIONER :

**V.P.REMADEVI, AGED 47 YEARS,
W/O.ASOKAN, KAVUNGUMKOOTTATHIL HOUSE,
ELAMAKKARA P.O., KOCHI-26.**

BY ADV. SRI.O.D.SIVADAS

RESPONDENT :

**THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY, ERNAKULAM-682030.**

BY GOVERNMENT PLEADER SMT.K.A. SANJEETHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 03-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

WP(C).No. 20145 of 2015 (P)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1: TRUE COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER
DATED 16/06/2015.**

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

A.V.RAMAKRISHNA PILLAI, J.

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W.P(C) No.20145 of 2015

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Dated this the 3rd day of July, 2015

JUDGMENT

The petitioner is an existing operator on the route between Vaikom, Amrutha Hospital and Kizhakambalam and the permit is issued with respect to the stage carriage bearing No.KL 07 AJ/3579. The permit was valid till 11.11.2013. The petitioner submitted an application for renewal. However, on account of the non-production of NOC from the financier, the permit was not issued by the respondent. The petitioner alleges that due to some dispute with the financier, she was unable to obtain NOC and there arose some tax arrears also.

2. The petitioner further alleges that for the last so many years, she could not conduct the service and therefore, the renewal itself was rejected. Challenging the rejection, she filed MVAA No.112 of 2015 before the State Transport Appellate Tribunal which passed an interim order and presently the presumed the service from 6.6.2015; it is alleged.

3. The petitioner points out that the present timing of her service is the original timing allotted while issuing the permit. On account of the non-operation of her service, some of the timings have been allotted to other

operators and on account of the increased number of services in the route, the time gap available to the petitioner has been reduced considerably. Therefore, the petitioner moved Ext.P1 application for revision of own timings together with proposed set of timings. It is with this background, the petitioner has come up before this Court.

4. I have heard the learned counsel for the petitioner and the learned Government Pleader.

5. When the matter was taken up, 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.P1 application with set of timings.

Considering the nature of the submission made, the writ petition is disposed of directing the respondent RTA to consider and dispose of Ext.P1 application for revision of timings submitted by the petitioner after affording her an opportunity of being heard within a period of one month from the date of receipt of a copy of this judgment.

Sd/-

A.V.RAMAKRISHNA PILLAI
JUDGE

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