

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

TUESDAY, THE 14TH DAY OF JULY 2015/23RD ASHADHA, 1937

WP(C).No. 20679 of 2015 (H)

PETITIONER(S) :

**MUNAJ M.P,
MOOKKADA HOUSE, KANJIRAKKAD P.O., PERUMBAVOOR,
ERNAKULAM DISTRICT.**

BY ADV. SRI.P.DEEPAK

RESPONDENT(S) :

**THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
MUVATTUPUZHA-686 661.**

BY GOVERNMENT PLEADER SMT.K.A.SANJEETHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 14-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Msd.

WP(C).No. 20679 of 2015 (H)

APPENDIX

PETITIONER(S)' EXHIBITS :

**EXHIBIT P1: TRUE COPY OF THE REQUEST FOR CLEARANCE CERTIFICATE
FILED ON 06.07.2015.**

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No.20679 of 2015

Dated this the 14th day of July, 2015.

JUDGMENT

The petitioner has approached this Court seeking for a direction to the respondent to issue the clearance certificate without insisting for surrender of permit.

2. The petitioner is operating a stage carriage bearing registration No.K-08/X-5522 between Kolencherry and Kothamangalam. The regular permit is valid till 20.7.2019. The petitioner alleges that he intends to replace the said vehicle with a suitable other vehicle, preferably, of a later model. However, circumstances are such that he can arrange for a suitable vehicle only after disposing of the existing vehicle. It was in the above circumstances that the petitioner filed an application before the respondent for the issue of a clearance certificate in respect of the above vehicle by keeping the permit in suspended animation. The intention was to resume the service with a suitable other vehicle after the

construction of the bridge is completed. However, the respondent has not taken any action so far.

3. I have heard the learned counsel for the petitioner and the learned Government Pleader in the matter.

Considering the nature of the submissions and the nature of the relief sought for, the writ petition is disposed of directing the respondent to consider and pass appropriate orders on Ext.P1 request without insisting for surrender of permit, after affording the petitioner 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, it shall be open to the petitioner to produce a copy of the writ petition as well as the copy of this judgment before the respondent at the earliest.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

Scl.