

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

WEDNESDAY, THE 9TH DAY OF SEPTEMBER 2015/18TH BHADRA, 1937

WP(C).No. 20789 of 2015 (W)

PETITIONER:

**T.K.MANSOOR, AGED 36 YEARS,
S/O.KOCHUMUHAMMED, THIRUTHIKKATTIL HOUSE, P.O.PADIYAM,
MUTTICHUR, THRISSUR.**

BY ADV. SRI.I.DINESH MENON

RESPONDENTS:

- 1. THE REGIONAL TRANSPORT AUTHORITY, THRISSUR,
REPRESENTED BY ITS SECRETARY- 680001.**
- 2. THE SECRETARY, REGIONAL TRANSPORT
AUTHORITY, THRISSUR 680001.**
- 3. THE MANAGING DIRECTOR,
KERALA STATE ROAD TRANSPORT
CORPORATION, THIRUVANANTHAPURAM 645001.**
- 4. DITTO JOHN,
KOONAN HOUSE, P.O.MADAYIKONAM, THRISSUR 680007.**

**R3 BY ADV. SRI.P.C.CHACKO, SC, KERALA STATE ROAD TRANSPORT CORPN
R4 BY ADV. SRI.K.V.GOPINATHAN NAIR
R BY GOVERNMENT PLEADER
R BY SRI.P.C.CHACKO, SC, KERALA STATE ROAD TRANSPORT CO**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 09-09-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER'S EXHIBITS :

- EXHIBIT P1- COPY OF THE PERMIT ON THE ROUTE PULLU-THRISSUR IN RESPECT OF THE PETITIONER'S STAGE CARRIAGE KL-05/R-4014.
- EXHIBIT P2- COY OF THE REGISTRATION PARTICULARS OF THE PETITIONER'S STAGE CARRIAGE KL-05/R-4014.
- EXHIBIT P3- COPY OF THE DECISION OF THE REGIONAL TRANSPORT AUTHORITY THRISSUR GRANTING REGULAR PERMIT IN FAVOUR OF THE FOURTH RESPONDENT ON THE ROUTE THRISSUR-KARALAM.
- EXHIBIT P4- COPY OF THE NOTIFICATION DATED 14.07.2009.
- EXHIBIT P5- A ROUGH SKETCH OF THE ROUTE FOR WHICH REGULAR PERMIT WAS GRANTED TO THE FOURTH RESPONDENT.
- EXHIBIT P6- COPY OF THE ROUGH SKETCH.
- EXHIBIT P7- COPY OF THE RTA DECISION DATED 08.11.2011.
- EXHIBIT P8- COPY OF THE ORDER IN W.P.(C) NO. 588/2015 DATED 12.01.2015.

RESPONDENTS' EXHIBITS:

- EXT.R4(a) - COPY OF THE CERTIFICATE ISSUED BY THE EXECUTIVE ENGINEER, PWD ROADS DIVISION, THRISSUR DATED 15.01.2015.

//TRUE COPY//

P.A. TO JUDGE

DST

V. CHITAMBARESH, J.

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W.P. (C) No. 20789 of 2015

Dated this the 9th day of September, 2015

J U D G M E N T

Exhibit P3 decision of the 1st respondent granting regular permit to the 4th respondent is impugned. The challenge is on the ground that there is objectionable overlapping. This plea of the petitioner is supported by the 3rd respondent Corporation. The 4th respondent however, strongly refuted the plea of the petitioner.

2. A revision lies against Ext.P3 decision to the tribunal under Section 90 of the Motor Vehicles Act, 1988. The petitioner is free to invoke that remedy and apply for appropriate interim reliefs. Any revision filed within two weeks from today shall be dealt within six weeks therefrom.

3. The Interim Order dated 09.07.2015 as extended shall continue to operate for two weeks. The timing conference scheduled on 22.09.2015 shall however go on and the issue of permit will be dependent on the interim orders if any of the tribunal.

The writ petition is disposed of.

Sd/-

**V. CHITAMBARESH,
JUDGE**

DST

//True copy//

P.A. To Judge