

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

THURSDAY, THE 16TH DAY OF JULY 2015/25TH ASHADHA, 1937

WP(C).No. 20790 of 2015 (W)

PETITIONER(S):

**BABU E.V.,
EDASSERY HOUSE, E. COLONY, ANGAMALY.**

BY ADV. SRI.K.V.GOPINATHAN NAIR

RESPONDENT(S):

**THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
ERNAKULAM, PIN - 682 030.**

BY GOVERNMENT PLEADER SMT.K.A.SANJEETHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
16-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 20790 of 2015 (W)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXT.P1: TRUE COPY OF THE PROCEEDINGS OF THE REGIONAL TRANSPORT
AUTHORITY, ERNAKULAM GRANTING REGULAR PERMIT IN FAVOUR OF
THEPETITIONER DATED 30/10/2014.**

**EXT.P2: TRUE COPY OF THE PROCEEDINGS OF THE RESPONDENT DATED 18//5/2015
ISSUING 20 DAYS TEMPORARY PERMIT TO THE PETITIONER.**

**EXT.P3 TRUE COPY OF THE MODIFIED TIMING SUBMITTED BY THE PETITIONER
BEFORE THE RESPONDENT DATED 8/7/2015**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv**/**

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 20790 of 2015

Dated this the 16th day of July, 2015

J U D G M E N T

The petitioner has come up before this Court aggrieved by the inaction on the part of the respondent in issuing regular permit in respect of his stage carriage.

2. The petitioner applied for the grant of a regular permit to operate service on the route between Adivaram and Desom Junction under the provisions of the Motor Vehicles Act, 1988. According to the petitioner, this is a route having 27 km, which passes through rural area, where there is no adequate travelling facility. The RTA, Ernakulam granted the regular permit to the petitioner as per Ext.P1. Since Ext.P1 contains a condition regarding settlement of timings, the respondent has not issued the same, which, according to the petitioner, caused him irreparable injury and hardship. The petitioner alleges that though timing conference has been scheduled on two occasions, it is adjourned without any reason and

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justification. Hence, this writ petition.

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

Considering the nature of the prayer, the writ petition is disposed of directing the respondent to issue regular permit to the petitioner within a period of three weeks from the date of receipt of a copy of this judgment. While issuing the permit, the respondent shall also consider the feasibility of Ext.P3.

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/-