

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

TUESDAY, THE 21ST DAY OF JULY 2015/30TH ASHADHA, 1937

WP(C).No. 21125 of 2015 (M)

PETITIONER :

**YUNAS V.V.,
S/O. IBRAHAM V.V.,
VADAKKU VEETIL HOUSE, MARIYAD P.O.
POOKKOOTTUR, MALAPPURAM
REPRESENTED BY THE POWER OF ATTORNEY HOLDER IBRAHIM
VADAKKU VEETIL HOUSE, MUNDITHODIKA P.O., POOKKOTTUR
MALAPPURAM DISTRICT.**

BY ADV. SRI.K.V.GOPINATHAN NAIR

RESPONDENT :

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

BY GOVT. PLEADER SMT. K.A. SANJEETHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 21-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

...2/-

WP(C).No. 21125 of 2015 (M)

APPENDIX

PETITIONERS' EXHIBITS :

**EXHIBIT P1- TRUE COPY OF THE PROCEEDINGS OF THE REGIONAL TRANSPORT
AUTHORITY, MALAPPURAM DATED 4-2-2015 GRANTING REGULAR
PERMIT IN FAVOUR OF THE PETITIONER.**

**EXHIBIT P2- TRUE COPY OF THE NOTICE OF THE RESPONDENT DATED 7-3-2015
FIXING THE TIMING CONFERENCE TO 15-6-2015.**

**EXHIBIT P3- TRUE COPY OF THE PROPOSED TIMING SUBMITTED BY THE
PETITIONER BEFORE THE RESPONDENT DATED 15-5-2015.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

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A.V.RAMAKRISHNA PILLAI, J.

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W.P(C) No.21125 of 2015

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Dated this the 21st day of July, 2015

JUDGMENT

The petitioner is aggrieved by the inaction on the part of the respondent in issuing the regular permit.

2. The petitioner has been granted with regular permit as per Ext.P1. The petitioner alleges that the route passes through interior and ill-served area and the immediate operation of the service is highly necessary and essential as evident from Ext.P1. The petitioner further alleges that for the purpose of settlement of timings though a time conference was scheduled to be held on 15.6.2015, the same has been unnecessarily adjourned and the issue of regular permit is even now in abeyance.

3. The petitioner alleges that with the consent of other operators and taking into consideration the time gap, a clash free set of timings has been submitted as modified proposed timings as per Ext.P3 before the respondent. The petitioner points out that respondent can even issue the permit with Ext.P3 modified set of timings without prejudice to settle the objections, if any, thereafter.

However, the issue of regular permit which has been already made on 4.2.2015 shall not be kept in abeyance. It is with this background, the petitioner has come up before this Court

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

Considering the nature of the submission made, this court is of the view that the writ petition can be 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, taking note of Ext.P3, without prejudice to settle the objections, if any, thereafter.

Sd/-

A.V.RAMAKRISHNA PILLAI
JUDGE

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