

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. 21134 of 2015 (N)

PETITIONER :

**MUHAMMED, S/O.SAIDALI,
MARUTHALAMMAL HOUSE, P.O.OLAVATTOOR,
KONDOTTY, MALAPPURAM.**

BY ADV. SRI.PRASAD CHANDRAN

RESPONDENT :

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

BY GOVERNMENT 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:**

sts

WP(C).No. 21134 of 2015 (N)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXT.P-1: TRUE COPY OF THE PROCEEDINGS OF THE RESPONDENT DATED
 25.2.2014**

**EXT.P-2: TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE
 PETITIONER DATED 19.6.2015**

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.21134 of 2015

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Dated this the 21st day of July, 2015

JUDGMENT

The petitioner is seeking a direction to the respondent to consider Ext.P2 request for revision of timings.

2. The petitioner is a stage carriage operator on the strength of regular permit with a set of timings issued in the year 2001 onwards. The petitioner alleges that the regular permit is valid upto 15.6.2016.

3. Though order dated 8.11.2011 prescribing running time has been issued by the respondent as per Ext.P1, according to the petitioner, the same was purportedly issued as per the directions of the State Transport authority.

4. The respondent suggested timing in respect of the petitioner's service and invited objections. In the meanwhile, the suggested timing has been issued to the petitioner. However, the same was not in accordance with the time Schedule. The petitioner further alleges that Ext.P1 order finalised set of timing in accordance with order dated 8.11.2011 can be given effect only on a uniform basis from a particular date which has to be made

applicable to all services. Therefore, according to the petitioner, it is the duty of the respondent to keep in abeyance Ext.P1 till the said order is made applicable in respect of other services on the said route; it is alleged.

5. Pointing out all these aspects before the respondent, the petitioner filed Ext.P2 representation seeking revision as stated in Ext.P1. It is with this background, the petitioner has approached this Court.

6. 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 consider Ext.P2 representation submitted by the petitioner and pass appropriate orders after affording the petitioner and affected parties an opportunity of being heard, within three weeks from the date of receipt of a copy of this judgment.

Sd/-

A.V.RAMAKRISHNA PILLAI
JUDGE

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