

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

WEDNESDAY, THE 15TH DAY OF JULY 2015/24TH ASHADHA, 1937

WP(C).No. 21367 of 2015 (U)

PETITIONER(S) :

**BUSHARA A.K., AGED 36 YEARS,
W/O.ADBUSSALEEM, 6/8, (8/49),
KOKKANChERi CHALIL HOUSE,
PAZHOORe.P.O., MAVOORe (VIA),
KOZHIKODE.**

**BY ADVS.SRI.G.HARIHARAN
SRI.PRAVEEN.H.**

RESPONDENT(S) :

- 1. THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
KOZHIKODE – 673 001.**
- 2. REGIONAL TRANSPORT AUTHORITY,
KOZHIKODE, REPRESENTED BY ITS SECRETARY,
PIN – 673 001.**

BY SMT.K.A.SANJEETHA, GOVERNMENT PLEADER

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
15-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

AMV

: 2 :

WP(C).No. 21367 of 2015 (U)

APPENDIX

PETITIONER(S) EXHIBITS :

**EXT.P1. : COPY OF THE AGENDA OF ITEM NO.39 IN THE MEETING OF
RTA, KOZHIKODE HELD ON 10.03.2015.**

**EXT.P2. : COPY OF THE REGULAR PERMIT RELATING TO BUS NO.
KL-56-4266 TO OPERATE ON THE ROUTE MAVOOR –
KOZHIKODE.**

**EXT.P3. : COPY OF THE PROCEEDING DATED 08.11.2011 SETTling
THE TIMINGS OF THE VEHICLE NO.KL-56-4266.**

**EXT.P4. : COPY OF THE APPLICATION DATED 06.07.2015 SUBMITTED
BYTHE PETITIONER FOR REVISION OF HIS OWN TIMINGS
RELATING TO BUS NO.KL-56-4266.**

RESPONDENTS EXHIBITS : NIL

/TRUE COPY/

P.A.TO JUDGE

AMV

A.V.RAMAKRISHNA PILLAI, J.

.....
W.P.(C) No.21367 of 2015 (U)

.....
Dated this the 15th day of July, 2015

JUDGMENT

The petitioner, who is a stage carriage operator, seeks a direction for revision of her own timings in respect of her stage carriage vide Ext.P4 request.

2.The petitioner has filed a joint application for transfer of permit in respect of stage carriage bearing registration No.KL-56-4266 operating on the route Mavoor - Kozhikode, from one Sri.Rabiyath, residing at 7/353, Kuthiredath House, Kozhikode to her name and the said application came up for consideration before the 2nd respondent, in the RTA meeting held on 10.03.2015, which is produced as Ext.P1. The timings of the above vehicle has been settled in accordance with the judgment of this Court and also in accordance with circular dated 08.11.2011. since the timings allotted to the permit vide Ex.P1 permit have been unsettled due to the introduction of a number of services on the route in question. Under the above circumstances, the petitioner had made Ext.P4 request along with proposed timings, to revise the departure timings of the existing service before the 1st

respondent. However the 1st respondent is reluctant to consider Ext.P4 stating that the same will be taken up only after a gap of three months, which in turn is under challenge in this writ petition.

3. Heard the learned counsel for the petitioner and the learned Government Pleader for the respondents.

Considering the nature of relief sought for and the nature of submissions, the writ petition is disposed of, directing the 1st respondent to consider Ext.P4 request, after affording an opportunity of hearing to the petitioner and all those who are likely to be affected, within a period of one month from the date of receipt of a copy of this judgment.

Sd/-

A.V.RAMAKRISHNA PILLAI, JUDGE

AMV/16/07/