

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. 21553 of 2015 (T)

PETITIONER:

**HANEEFA PALAKKAL,
PALAKKAL HOUSE, ATHANIKKAL,
VALLUVAMBRAM.P.O., MALAPPURAM.**

BY ADV. SRI.K.V.GOPINATHAN NAIR

RESPONDENT:

**THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
PALAKKAD, PIN - 678 001.**

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:**

mbr/

WP(C).No. 21553 of 2015 (T)

PETITIONERS' EXHIBITS:

**EXT. P1 : TRUE COPY OF THE TEMPORARY PERMIT ISSUED TO THE
PETITIONER ON THE ROUTE KOZHIKODE - CHITTUR VALID UP TO
17.7.2015.**

**EXT. P2 : TRUE COPY OF THE 4 MONTHS TEMPORARY PERMIT APPLICATION
SUBMITTED BY THE PETITIONER ON THE ROUTE KOZHIKODE -
CHITTUR DATED 29.6.2015.**

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

mbr/

A.V.RAMAKRISHNA PILLAI, J.

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W.P(C) No.21553 of 2015

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Dated this the 16th day of July, 2015

JUDGMENT

Aggrieved by the non-consideration of the application submitted by the petitioner for re-issue of temporary permit, the petitioner has come up before this Court.

2. The petitioner is the holder of a regular permit to operate service on the route between Kozhikode and Chittur. The petitioner alleges that his renewal application is pending and he has been issued temporary permit which is at present valid upto 17.7.2015. Since the renewal application is pending and the circumstances by which Ext.P1 permit is issued is still continuing, he filed Ext.P2 application for re-issue of temporary permit. However, the same has not be considered by the respondent.

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

4. When the matter came up, the learned counsel for the petitioner confined his argument to the limited prayer for a direction to consider Ext.P2 application for re-issue of temporary permit to continue the service of the petitioner.

Considering the nature of the submission, the writ petition is disposed of directing the respondent to consider and pass appropriate orders on Ext.P2 application submitted by the petitioner for re-issue of temporary permit in continuation of the temporary permit before 17.7.2015 which is the date of expiry of the present permit. This shall be done within a period of two weeks from the date of receipt of a copy of this judgment. The issuance of temporary permit shall be subject to the preferential claims, if any, of the basic permit holder.

Sd/-

A.V.RAMAKRISHNA PILLAI
JUDGE

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