

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

MONDAY, THE 20TH DAY OF JULY 2015/29TH ASHADHA, 1937

WP(C).No. 21734 of 2015 (N)

PETITIONER(S):

**V.BHASKARAN,
S/O.NARAYANAN NAIR, KOLOT HOUSE,
KOLATHUR, BANDADUKA P.O., KASARAGOD.**

BY ADV. SRI.PRASAD CHANDRAN

RESPONDENT(S):

**THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
(REGIONAL TRANSPORT OFFICER),
KASARAGOD, PIN - 671 121.**

BY GOVERNMENT PLEADER SMT. K.A.SANJEETHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
20-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 21734 of 2015 (N)

APPENDIX

PETITIONER(S)' EXHIBITS:

EXT.P1: TRUE COPY OF THE PROCEEDING ISSUED TO THE PETITIONER DTD.9.1.2015.

**EXT.P2: TRUE COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER BEFORE
THE RESPONDENT DTD.24.1.2015.**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

MsV/

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No.21734 of 2015

Dated this the 20th day of July, 2015.

JUDGMENT

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

2. The petitioner is conducting stage carriage KL-11/P 5598 on the route between Edneer and Kanhangad. The petitioner alleges that as per Ext.P1 timings, the service arrives at the Odanyamchal in the morning at 9.20 a.m. and for a distance of 19 kms. is traversing with the same timings of another service. There is an unnecessary halting of 30 minutes in the middle point of the route. If necessary changes are made effecting the service, the same shall be operated smoothly which will be highly beneficial for the feasible operation and efficient operation of the service. In view of the above circumstances, the petitioner filed Ext.P2 application for modification of the time schedule in respect of his service. It is also revealed that the enquiry conducted

through the field officers also support that the request of the petitioner would be beneficial for the feasible operation of the service and the same would not affect other operators also. As per Rule 212 of the Kerala Motor Vehicles Rules, the respondent is the authority to pass orders effecting such modification in the time schedule. There is unnecessary delay on the part of the respondent in performing his statutory duty; it is alleged. It is with this background, the petitioner has come up before this Court.

3. I have heard the learned counsel for the petitioner and the learned Senior Government Pleader in the matter.

Considering the nature of the submissions and the nature of the relief sought for, the writ petition is disposed of directing the respondent to consider and pass appropriate orders on Ext.P2 application in the light of the report of the field officer after affording the petitioner and the affected operators, an opportunity of being heard within a period of one month from the date of receipt of a copy of this judgment.

To facilitate an early action, it shall be open to the petitioner to produce a copy of the writ petition as well as the copy of this judgment before the respondent at the earliest.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

Scl.