

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

WEDNESDAY, THE 29TH DAY OF JULY 2015/7TH SRAVANA, 1937

WP(C).No. 21893 of 2015 (J)

PETITIONER:

K.P.RAMADAS, AGED 42 YEARS
S/O.RAMAN NAIR, KARUPARAMBIL HOUSE, PATTITHARA P.O
THRITHALA, PATTAMBI.

BY ADV. SRI.K.V.GOPINATHAN NAIR

RESPONDENT:

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

R BY GOVERNMENT PLEADER K.A.SANGEETHA

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 29-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) .No. 21893 of 2015 (J)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXHIBIT P1. COPY OF THE PROCEEDINGS OF THE REGIONAL TRANSPORT
AUTHORITY, PALAKKAD DATED 12.8.14 AS ITEM NO.95 GRANTING VARIATION OF
PERMIT.

EXHIBIT P2. COPY OF THE AGENDA OF ITEM NO.95 IN THE MEETING OF THE
REGIONAL TRANSPORT AUTHORITY, PALAKKAD HELD ON 12.8.2014.

RESPONDENT'S EXHIBITS: NIL

TRUE COPY

PA TO JUDGE

Scl.

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 21893 of 2015

Dated this the 29th day of July, 2015.

JUDGMENT

Alleging inaction on the part of the respondent in implementing Ext.P1, 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 Mele Pattambi and Ponnani bus stand via. Pattambi Bus Stand, Varandukuttikadavu, Thrithala, Padijarangadi and Edappal in respect of his stage carriage KL-9/Q 1069. The petitioner alleges that regular permit is valid upto 1.6.2020. This is one of the old service on the route and at that time, all services were starting from Mele Pattambi. After the opening of the bus stand at Pattambi, the services are terminating and starting from the said bus stand. Hence the petitioner submitted application for variation of permit by avoiding portion of Mele Pattambi - Pattambi. The said application has

been considered by the RTA, Palakkad in its meeting held on 12.8.2014 and for the feasible operation of the same, the RTA granted variation of permit by Ext.P1. While granting the same, the normal condition regarding settlement of timing is incorporated. However, it is stated in Ext.P1 that the same is according to Order No.D3/875/STA/2011 dated 8.11.2011. The petitioner further alleges that the respondent scheduled timing conference on 3 occasions and the same have been adjourned without convening the same. In fact, deleting the timing on the portion where the curtailment was already allowed alone is required in the instant case and this could be done without prejudice to modify the timing, if become necessary in the event of implementation of the above circular.

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 positive orders on Ext.P1

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.