

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

WEDNESDAY, THE 22ND DAY OF JULY 2015/31ST ASHADHA, 1937

WP(C).No. 22016 of 2015 (B)

PETITIONER :

**TOMY GEORGE, AGED 43 YEARS,
VAYALIKALAPURAYIL HOUSE, KADAVOOR,
KOTHAMANGALAM, ERNAKULAM DISTRICT**

BY ADV. SRI.P.DEEPAK

RESPONDENT :

**THE SECRETARY
REGIONAL TRANSPORT AUTHORITY,
MUVATTUPUZHA 686 661.**

BY GOVERNMENT PLEADER SMT. K.A. SANJEETHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 22-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

WP(C).No. 22016 of 2015 (B)

APPENDIX

PETITIONER(S)' EXHIBITS

**P1: A TRUE COPY OF THE TIME SCHEDULE ISSUED TO THE PETITIONERS
SERVICE ON THE ROUTE VADATTUPPARA -PERUMANOOR.**

P2: A TRUE COPY OF THE REPRESENTATION DATED 15.7.15

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No.22016 of 2015

Dated this the 22nd day of July, 2015.

JUDGMENT

The petitioner has approached this Court for a consideration of Ext.P2 representation for revision of timings.

2. The petitioner is a stage carriage operator. The petitioner alleges that he is conducting service on the route between Vadattuppara and Kothamangalam on the strength of a regular permit issued to his stage carriage bearing registration No.KL-40/A 7374 with a time schedule approved by the respondent herein. The petitioner further alleges that it can be seen from Ext.P1 time schedule that in the afternoon trip, the stage carriage departs from Kothamangalam at 1.10 p.m to Vadattuppara. The next service on this sector is only at 1.40 p.m. Nevertheless, the KSRTC has introduced a stage carriage from Kothamangalam at 1.10 p.m. itself ie, the same time as the petitioner's service. The next trip of the petitioner's stage carriage leaves Kothamangalam at 3.25 p.m

and the KSRTC has introduced a service at the identical time when there is a clear gap of 35 minutes till 4.00 p.m for the next service on this sector. It was in the above context, the petitioner filed a request for revision of Ext.P1 time schedule. The changes sought were to revise the existing departure times of 1.10 p.m. and 3.25 p.m. from as 1.18 p.m and 3.35 p.m to avoid clash of timings with the services operated by the KSRTC. However, the respondent is declining to consider Ext.P2; it is alleged.

3. I have heard the learned counsel for the petitioner and the learned 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 representation, after affording the petitioner and other affected operators, an opportunity of being heard, within a period of one month from the date of receipt of copy of this judgment.

It is open to the petitioner to produce a copy of this judgment and a copy of the writ petition before the respondent to facilitate an early action.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

Scl.