

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

MONDAY, THE 27TH DAY OF JULY 2015/5TH SRAVANA, 1937

WP(C).No. 22209 of 2015 (A)

PETITIONER:

**SANTHOSH KUMAR.C.M.,
S/O.MANI, 14/12, CHANDANAPURAM,
NALLEPPULLY, CHITTUR, PALAKKAD.**

BY ADV. SRI.I.DINESH MENON

RESPONDENTS:

- 1. THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
PALAKKAD- 678 001**
- 2. K. PARANTHAMAN,
2/127, ELAPULLY, PALAKKAD- 678 622**

R1 BY GOVERNMENT PLEADER SMT. K.A.SANJEETHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 27-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).No. 22209 of 2015 (A)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1:- THE TRUE COPY OF THE TIME SCHEDULE BY VIRTUE OF WHICH THE PETITIONER IS AT PRESENT OPERATING.**
- P2:- TRUE COPY OF THE TIME SCHEDULE ISSUED IN RESPECT OF THE SECOND RESPONDENT'S SERVICE THE PETITIONER BEFORE THE RESPONDENTS**
- P3:- TRUE COPY OF THE REQUEST DTD 12/6/2015**
- P4:- TRUE COPY OF THE JUDGMENT IN WPC NO.20833/2015 DTD 10/7/2015**

RESPONDENT(S)' EXHIBITS: **NIL**

/TRUE COPY/

P.A.TO JUDGE

sts

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 22209 of 2015

Dated this the 27th day of July, 2015.

JUDGMENT

The petitioner is seeking a direction to the first respondent to consider Ext.P3 request to avert clash of timings between the petitioner's service as well as that of the second respondent's service by hearing the petitioner as well as the second respondent.

2. The petitioner is an existing operator operating on the route between Moolakkada and Palakkad. The petitioner alleges that the second respondent is operating on identical route having a common portion of 23 kms from Kozhinjampara to Palakkad. As there is no sufficient time gap between the petitioner's service as that of the second respondent's service, they are operating in acute clash with each other. The time gap of 40 minutes enjoyed by the petitioner has been drastically reduced from 40 minutes to 7 minutes. Resultantly, both services clash as they pass through rural and interior areas. This unhealthy competition has not only affected the

petitioner as well as the second respondent but the travelling public at large. Hence the petitioner preferred a request to avert clash of timings between the petitioner as well as the second respondent. However, the respondent has not taken any action so far in the said request. 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 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 first respondent to consider Ext.P3 request after affording the petitioner and the second respondent 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 first respondent at the earliest.

A.V. RAMAKRISHNA PILLAI
JUDGE

Scl.