

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

TUESDAY, THE 4TH DAY OF AUGUST 2015/13TH SRAVANA, 1937

WP(C).No. 22633 of 2015 (D)

PETITIONER :

**ANIL KUMAR, AGED 48 YEARS,
KANNACHAMKANDY HOUSE,
BAGAVATHY PARAMBA, NELLIKODE, KOZHIKODE.**

BY ADV. SRI.G.PRABHAKARAN

RESPONDENTS :

- 1. THE REGIONAL TRANSPORT AUTHORITY,
KOZHIKODE, REPRESENTED BY ITS SECRETARY-673020.**
- 2. THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY, KOZHIKODE-6723020.**

BY GOVERNMENT PLEADER SRI. K.A. SANJEETHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 04-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

APPENDIX

PETITIONER(S)' EXHIBITS

- P1: TRUE COPY OF THE REGULAR PERMIT WITH ITS NO.P.ST.11/466/2002
DATED 7.4.2011
- P2: TRUE COPY OF THE R.C. PARTICULARS WITH ITS VEHICLE NO.KL 10/ R 2381.
- P3: TRUE COPY OF THE REGULAR PERMIT APPLICATION FILED BY THE
PETITIONER DATED 06.06.2015.
- P4: TRUE COPY OF THE TEMPORARY PERMIT APPLICATION ON THE ROUTE
MUCHUKUNNU-KOZHIKODE WITH STAGE CARRIAGE KL 10/R 2381 IN PLACE
OF KL 11/AG 2939 DATED 16.7.2015.
- P5: TRUE COPY OF THE JUDGMENT DATED 5.12.2012 IN WP(C)27783/2012.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 22633 of 2015

Dated this the 4th day of August, 2015

J U D G M E N T

The petitioner is seeking a direction to the respondents to consider Ext.P3 application for regular permit and Ext.P4 application for temporary permit.

2. The petitioner alleges that the route between Muchukunnu and Kozhikode via Koyilandy, Elathur is an ill served route, which was being operated on the basis of a permit valid up to 14.07.2014 in respect of a stage carriage bearing Reg.No.KL 11/AG 2939. He further alleges that as the permit holder got release of the vehicle and sold the vehicle, the timings are vacant and the public are suffering. According to him, the permit also seems to be renewed. Therefore, the petitioner, who is the registered owner of a stage carriage bearing Reg.No.KL-10/R 2381, applied for regular permit on the said route in the vacant timings as per Ext.P3. According

..2..

to him, there is no time consuming formality in existence prior to the grant of permit. His grievance is that even then, Ext.P3 application has not been finalized so far. As there is urgent temporary need, he also applied for a temporary permit for 4 months vide Ext.P4, which is also pending consideration. Therefore, the petitioner has approached this Court seeking a direction to the respondents to take a final decision on Exts.P3 and P4.

3. Heard the learned counsel for the petitioner and the learned senior Government Pleader in the matter.

4. The learned senior Government Pleader, on instructions, submitted that the next RTA meeting is scheduled to be held on 08.08.2015 and the petitioner's application for regular permit can be considered in that meeting. However, the learned counsel for the petitioner submitted that Ext.P4 application is to be considered by the RTA and Ext.P3 application is to be considered by the Secretary of the RTA.

Therefore, the writ petition is disposed of as follows;

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- The 1st respondent is directed to consider and pass appropriate orders on Ext.P3 application submitted by the petitioner for regular permit in the next meeting scheduled to be held on 08.08.2015 and pass final orders in that meeting itself without fail.
- The 2nd respondent is directed to consider Ext.P4 application submitted by the petitioner for temporary permit, within a period of two weeks from the date of receipt of a copy of this judgment.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

bka/-