

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

TUESDAY, THE 28TH DAY OF JULY 2015/6TH SRAVANA, 1937

WP(C).No. 22763 of 2015 (U)

PETITIONER(S) :

**DEVADAS U., S/O.LATE UNNIMOOTHAN,
UPPATH HOUSE, MALLISSERI PARAMBE,
SHORANUR, PALAKKAD DISTRICT.**

BY ADV. SRI.I.DINESH MENON

RESPONDENT(S) :

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

BY GOVERNMENT PLEADER SMT.K.A.SANJEETHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 28-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Msd.

WP(C).No. 22763 of 2015 (U)

APPENDIX

PETITIONER(S)' EXHIBITS :

**EXHIBIT P1: TRUE COPY OF THE APPLICATION FOR TEMPORARY PERMIT ON
THE ROUTE PARUTHIPRA-VELLIYAD.**

**EXHIBIT P2: TRUE COPY OF THE CHALAN EVIDENCING THE REQUISITE
PAYMENT.**

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No.22763 of 2015

Dated this the 28th day of July, 2015.

JUDGMENT

The petitioner has approached this court for the issue of temporary permit on the route Paruthipra-Velliyad in place of stage carriage bearing registration No.KL-51/81 pending consideration of the application for renewal.

2. The petitioner preferred an application for temporary permit on the route Paruthipra-Velliyad in place of stage carriage bearing registration No.KL-51/81. The petitioner alleges that the basic permit expired and the renewal application is pending. The basic permit holder has not applied for temporary permit and it is with his consent, the petitioner applied for temporary permit. Normally the same should have been issued. However, the prayer for temporary permit has not been allowed till date. A temporary permit could very well have been issued subject to the preferential claim of the basic permit holder and the same has not been

issued so far; 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.P1 application, after affording the petitioner and affected operators an opportunity of being heard, within a period of two weeks from the date of receipt of a copy of this judgment. It is hereby made clear that the issue of temporary permit shall be subject to preferential claim, if any.

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.

A.V. RAMAKRISHNA PILLAI
JUDGE

Scl.