

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. 22781 of 2015 (W)

PETITIONER(S):

**M.V.GIREESHAN,
S/O.KUNHAPPAN, M.V.HOUSE, RAMANTHALI.P.O.,
PAYYANNUR, KANNUR DISTRICT.**

BY ADV. SRI.O.D.SIVADAS

RESPONDENT(S):

**THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
KANNUR673001.**

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:**

PJ

WP(C).No. 22781 of 2015 (W)

APPENDIX

PETITIONER(S)' EXHIBITS

P1- COPY OF THE PERMIT ISSUED ON 24.4.2015.

P2- COPY OF THE REQUEST DATED 10.6.2015.

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No.22781 of 2015

Dated this the 28th day of July, 2015.

JUDGMENT

The petitioner is seeking a direction to the respondent to consider his application for revision of his own timings.

2. The petitioner is an existing stage carriage operator on the route between Kavvayi and Payyannur via Payangadi and the permit is issued in respect of stage carriage No.KL 10 P/9189. The petitioner alleges that on account of heavy traffic block because of the very bad condition of the road, the time gap available to the petitioner has been considerably reduced. Due to the above, the petitioner is not in a position to conduct the service profitably. Hence the petitioner submitted an application to the respondent on 10.6.2015 along with the proposed set of timings requesting to change the departure time at Payyannur. There is warranting circumstances to revise the petitioner's timings on account of the above. The reason stated in Ext.P2 is on account of heavy traffic block on

the sector, which is a valid and sustainable reason to revise the timings of the petitioner's service. 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.P2 request, after affording the petitioner and affected operators 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 respondent at the earliest.

sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

W.P.(C) No.22781 of 2015

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Scl.