

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

THURSDAY, THE 6TH DAY OF AUGUST 2015/15TH SRAVANA, 1937

WP(C).No. 22799 of 2015 (Y)

PETITIONER :

**V.K.SIVADASAN,
VILANGATTIL HOUSE, MALAYATTOOR P.O.,
ERNAKULAM.**

BY ADV. SRI.K.V.GOPINATHAN NAIR

RESPONDENT(S):

- 1. THE REGIONAL TRANSPORT AUTHORITY,
MUVATTUPUZHA, REPRESENTED BY ITS SECRETARY - 686 661.**
- 2. THE REGIONAL TRANSPORT AUTHORITY,
ERNAKULAM, REPRESENTED BY ITS SECRETARY - 682 030.**

BY GOVERNMENT PLEADER SMT. K.A.SANJEETHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 06-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).No. 22799 of 2015 (Y)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1 - TRUE COPY OF THE REGULAR PERMIT APPLICATION SUBMITTED BY THE PETITIONER DT. 12.1.2015.
- P2 - TRUE COPY OF THE PROCEEDINGS OF THE SECRETARY, R.T.A MUVATTUPUZHA DT. 27.3.2015 ISSUING 20 DAYS TEMPORARY PERMIT TO THE PETITIONER.
- P3 - TRUE COPY OF THE PROCEEDINGS OF THE 1ST RESPONDENT DT. 26.5.2015 IN ITEM NO.9.
- P7 - TRUE COPY OF THE DECISION OF THE 1ST RESPONDENT DT. 26.5.2015 IN ITEM NO. 16.

RESPONDENT(S)' EXHIBITS:

NIL

/TRUE COPY/

P.A.TO JUDGE

sts

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 22799 of 2015

Dated this the 6th day of August, 2015.

JUDGMENT

The petitioner is seeking a direction to the respondent to the grant of regular permit on the petitioner's application which adjourned by the RTA.

2. The petitioner submitted an application for the grant of a regular permit as per Ext.P1. The route distance is 31.1 kms. The petitioner alleges that there are two Regional Transport Offices in Ernakulam Districts Viz; RTA, Muvattupuzha and RTA, Ernakulam. However, the same is constituted with the very same Chairman and members. The petitioner further alleges that procedure followed by the authorities is to grant permit through out the Ernakulam District and for that purpose no concurrence is required from the very same authority. The petitioner submitted application before the RTA, Muvattupuzha who is the first respondent. The timing of the service is also finalized as per Ext.P2.

However, when the application is considered, the first respondent unnecessarily adjourned the application as per Ext.P3 seeking concurrence of the RTA, Ernaulam whereas in the very same sitting the first respondent has readily granted without any such requirement of concurrence as evident from Ext.P4. There is absolutely no reason or justification to take an arbitrary and improper procedure in the case of the petitioner only. There is absolutely no requirement of any concurrence and the first respondent ought to have granted and issued permit to the petitioner; 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.

4. The learned Senior Government Pleader on instructions submitted that the next RTA meeting is scheduled to be held on 17.8.2015.

Therefore, the writ petition is disposed of directing the respondent to consider Ext.P1 application for regular permit

and Ext.P3 application for concurrence in that meeting itself
and to pass orders thereon without fail.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

Scl.