

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

WEDNESDAY, THE 5TH DAY OF AUGUST 2015/14TH SRAVANA, 1937

WP(C).No. 22852 of 2015 (F)

PETITIONER(S):

**BABU ABRAHAM,
S/O.MARKOSE, PAINGATTUKUNNEL HOUSE,
VADATTUPPARA P.O., ERNAKULAM DISTRICT.**

BY ADV. SRI.P.DEEPAK

RESPONDENT(S):

**THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
MUVATTUPUZHA - 686 661.**

BY GOVERNMENT PLEADER SMT.K.A.SANJEETHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
05-08-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 22852 of 2015 (F)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1. TRUE COPY OF THE AGENDA FOR THE MEETING OF THE RTA,
MUVATTUPUZHA HELD ON 26.5.15 (ITEM NO.15).**

**EXHIBIT P2. A TRUE COPY OF THE DECISION OF THE REGIONAL TRANSPORT
AUTHORITY, MUVATTUPUZHA DATED 26.5.15 IN ITEM NO.15.**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.A.TO JUDGE

MsV/

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 22852 of 2015

Dated this the 5th day of August, 2015

J U D G M E N T

Seeking a direction to the respondent to issue the regular permit with the time schedule proposed by the petitioner reserving the right of the respondent to settle the timings after such an endorsement, the petitioner has come up before this Court.

2. The petitioner is the registered owner of a stage carriage bearing Reg.No.KL-17/2266. He applied for the grant of regular permit to conduct service on the route between Vadattuppara and Perumbavoor via Muvattupuzha. The petitioner alleges that even though the said application was boarded up for consideration in the meeting of the RTA, Muvattupuzha held on 13.02.2015, the matter was adjourned to the next meeting of the RTA to ascertain whether the route proposed objectionably overlaps any notified route of the KSRTC. Eventually, the matter was boarded up for consideration in the meeting of the RTA held on 26.05.2015. The RTA found that there is no objectionable overlapping in the proposed route and there are no legal impediment in

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sanctioning the application. It was also found that the proposed service is highly beneficial to the travelling public and students; and accordingly, regular permit was granted subject to settlement of timings as per Ext.P2. Immediately, on receipt of Ext.P2 decision, the petitioner submitted the current records of the aforesaid vehicle and prayed for expeditious issue of permit. As the respondent has taken the stand that the permit can be issued only after settling the timings, the petitioner has come up before this Court.

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

Considering the nature of the relief sought for, this writ petition is disposed of directing the respondent to issue regular permit, within a period of three weeks from the date of receipt of a copy of this judgment, with the timing schedule proposed by the petitioner, which shall be in operation for one week and shall be subject to the settlement of timings.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

bka/-