

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

WEDNESDAY, THE 29TH DAY OF JULY 2015/7TH SRAVANA, 1937

WP(C).No. 22859 of 2015 (F)

PETITIONER :

**K. CHANDRAN,
KALAPARAMBIL HOUSE, NEENDOOR,
VADAKKEKARA P.O.,
NORTH PARUR, ERNAKULAM DT.**

BY ADV. SRI.P.DEEPAK

RESPONDENT :

**THE REGIONAL TRANSPORT AUTHORITY,
ERNAKULAM- 682 030.**

BY GOVERNMENT PLEADER SMT. K.A.SANJEETHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 29-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).No. 22859 of 2015 (F)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1 - A TRUE COPY OF THE REGULAR PERMIT ISSUED TO THE PETITIONER DATED 22/9/07.**
- P2 - A TRUE COPY OF THE APPLICATION OF VARIATION DATED 01.04.2015**
- P3 - A TRUE COPY OF THE DECISION OF THE RESPONDENT DATED 26.05.2015**
- P4 - A TRUE COPY OF THE APPLICATION FOR MODIFICATION DATED 24.07.2015
SEEKING MODIFICATION OF THE APPLICATION FOR VARIATION FILED ON
01.04.2015**

RESPONDENT(S)' EXHIBITS:

NIL

/TRUE COPY/

P.A.TO JUDGE

sts

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 22859 of 2015

Dated this the 29th day of July, 2015

J U D G M E N T

Seeking a direction to the respondent to consider Ext.P4 application for modification submitted by the petitioner in the next meeting scheduled to be held on 06.08.2015, the petitioner has come up before this Court.

2. The petitioner holds a regular permit to conduct service on the route between North Paravur and Puthokode Temple via Kaloore and Kakkanad. On 01.04.2015, the petitioner submitted Ext.P2 application for variation of the permit. The variation proposed, included inter alia curtailment of the trips to Puthokode Temple. Yet another variation proposed was to incorporate a trip between Vyttila and Kaloore. Ext.P2 application was considered by the respondent in the meeting held on 26.05.2015 and the order was reserved; it is alleged. Now, nearly two months after the date of

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consideration, Ext.P3 decision of the respondent was issued rejecting the petitioner's application for variation in toto on the ground that curtailment of trips to Puthokode Temple would adversely affect the interests of the traveling public. Hence, the petitioner filed Ext.P4 application modifying Ext.P2 application for variation, retaining the trips to Puthokode Temple and also reiterating the fact that there is no enhancement in the number of trips operated on the notified sector by the proposed variation. According to the petitioner, there can be no legal impediment in sanctioning Ext.P2 application with the modifications suggested in Ext.P4. The petitioner alleges that there is a meeting of the respondent scheduled to be held on 06.08.2015; and if the matter is not reconsidered on 06.08.2015, there is a likelihood of the same being put on hold indefinitely as the meetings of the respondent few and far between and as the ensuing election to the local bodies is likely to hinder the scheduling of any meeting of the respondent

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any time before November 2015. Hence, this writ petition.

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

4. The learned Government Pleader, on instructions, submitted that the next meeting is scheduled to be held on 06.08.2015.

Considering the urgency of the matter, the writ petition is disposed of directing the respondent to include the item in the agenda of the meeting to be held on 06.08.2015 and pass orders on that day itself without delay.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

bka/-