

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. 22947 of 2015 (P)

PETITIONER :

**PRADEEPKUMAR T.,
EREPOYIL HOUSE, VENDUTTAYI, P.O. PINARAYI
THALASSERY, KANNUR.**

BY ADV. SRI.G.PRABHAKARAN

RESPONDENT(S) :

- 1. THE SECRETARY
REGIONAL TRANSPORT AUTHORITY,
KANNUR - 670 002.**
- 2. THE REGIONAL TRANSPORT AUTHORITY
KANNUR, REPRESENTED BY ITS SECRETARY- 670 002.**

R1 & R2 BY GOVT. 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:**

Mn

...2/-

WP(C).No. 22947 of 2015 (P)

APPENDIX

PETITIONERS' EXHIBITS :

EXHIBIT P1. COPY OF THE PERMIT WITH ITS NO.P.ST.13/46/2003 DATED 9.10.07.

EXHIBIT P2. COPY OF THE RENEWAL OF PERMIT APPLICATION DATED 17.6.13.

EXHIBIT P3. COPY OF THE CHELAN RECEIPT DATED 17.6.13.

EXHIBIT P4. COPY OF THE REPLACEMENT APPLICATION DATED 13.7.15 ON THE
ROUTE PARAMBAI-THALASSERY - KUTHUPARAMBA WITH THE
VEHICLE KL.13/T 6869 (ON POSSESSION) OLD VEHICLE KL.13/J 2646.

EXHIBIT P5. COPY OF THE CHELAN RECEIPT DATED 13.7.15.

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No.22947 of 2015

Dated this the 6th day of August, 2015.

JUDGMENT

The petitioner is seeking a direction to the respondent to consider his renewal application for regular permit as well as replacement of stage carriage bearing registration No.KL 13/J 2646.

2. The petitioner is the regular stage carriage permit holder operating on the route between Parambi and Thalassery via Kuthuparamba with stage carriage KL 13/J 2646. The regular permit is valid upto 20.6.2013. The petitioner alleges that the route in question is an intra district route within Kannur District and therefore concurrence or counter signature is not required from other districts for renewal of permit. The petitioner applied for the renewal of permit on 17.6.2013. the petitioner further alleges that as the vehicle in question has become old, he also sought for replacing the vehicle with a later model vehicle bearing registration number KL 13/T 6869

and sought for replacement and also for temporary permit. Since the renewal permit application is pending consideration, the petitioner is entitled to be granted with the temporary permit till the renewal of permit is sanctioned. Accordingly, the petitioner is operating even now with temporary permit. The petitioner further points out that it being a permit within Kannur District only, the first respondent is competent to grant the renewal of permit and replacement application. Since the permit period expired and the RTA has not met for the last months, the Secretary, RTA has to dispose of Ext.P2 with immediate effect. The petitioner is entitled to get the same disposed without any further delay and the inaction is a dereliction of the statutory duty cast upon the authorities; 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 would submit that the next RTA meeting will be held within a period of one month.

Therefore, the writ petition is disposed of directing the first respondent to consider Ext.P4 application in the next RTA meeting itself and pass orders on the same without fail.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

Scl.