

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

FRIDAY, THE 7TH DAY OF AUGUST 2015/16TH SRAVANA, 1937

WP(C).No. 23265 of 2015 (G)

PETITIONER :

**JOB P. SAM
JOB SADANAM
ATTACHAKKAL P.O.,
KONNI, PATHANAMTHITTA.**

BY ADV. SRI. P. DEEPAK

RESPONDENT :

**THE SECRETARY
REGIONAL TRANSPORT AUTHORITY
PATHANAMTHITTA – 689 645.**

BY GOVT. PLEADER SMT. K.A. SANJEETHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 07-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

...2/-

WP(C).No. 23265 of 2015 (G)

APPENDIX

PETITIONER'S EXHIBITS :

EXT.P1 : COPY OF THE REQUEST FOR CLEARANCE CERTIFICATE FILED ON
28-7-2015.

RESPONDENT'S EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 23265 of 2015

Dated this the 7th day of August, 2015.

JUDGMENT

The petitioner is seeking a direction to the respondent to issue clearance certificate in respect of his stage carriage bearing registration No.KL-02/V 333.

2. The petitioner is operating a stage carriage bearing registration No.KL-02/V 333 between Pathanamthitta and Thoompakulam. The regular permit is valid till 26.5.2018. The petitioner alleges that he intends to replace the said vehicle with a suitable other vehicle, preferably, of a later model. However, circumstances are such that he can arrange for a suitable vehicle only after disposing of the existing vehicle. It was in the above circumstances that the petitioner filed an application before the respondent for the issue of a clearance certificate in respect of the above vehicle by keeping the permit in suspended animation. The intention was to resume the service with a suitable other vehicle after the

construction of the bridge is completed. However, the respondent has not taken any action so far. 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 Government Pleader in the matter.

Considering the nature of the prayer and the nature of the submissions, the writ petition is disposed of directing the respondent to issue clearance certificate of the petitioner's stage carriage No.KL-02/V 333 without insisting for surrender of permit and keeping the permit under suspended animation within a period of two weeks from the date of receipt of a copy of this judgment. The petitioner shall produce the records of the incoming vehicle within a period of four months from the date of issue of clearance certificate.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

Scl.