

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

TUESDAY, THE 4TH DAY OF AUGUST 2015/13TH SRAVANA, 1937

WP(C).No. 23282 of 2015 (I)

PETITIONER :

**ASHRAF M., AGED 46 YEARS, S/O. MAMOOTY,
MOOTHEDATH HOUSE, EDAYUR, VENGAD P.O.,
MALAPPURAM DISTRICT.**

**BY ADVS.SRI.SAJU J.VALLYARA
SRI.L.MURALEEDHARAN**

RESPONDENT :

**THE SECRETARY, REGIONAL TRANSPORT AUTHORITY,
MALAPPURAM PIN - 676 505.**

BY GOVERNMENT PLEADER SRI. K.A. SANJEETHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 04-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

WP(C).No. 23282 of 2015 (I)

APPENDIX

PETITIONER'S EXHIBITS :

P1: COPY OF THE REGULAR PERMIT VIDE NO. P. ST. 10/150/2001 ISSUED TO THE PETITIONER BY THE RESPONDENT.

P2: COPY OF THE REQUEST DT 14/7/2015 SUBMITTED BY THE PETITIONER BEFORE THE RESPONDENT.

RESPONDENT'S EXHIBITS : NIL.

//TRUE COPY//

P.A.TO JUDGE

bp

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 23282 of 2015

Dated this the 4th day of August, 2015

J U D G M E N T

Seeking for a direction to the respondent to issue clearance certificate by keeping the regular permit under suspended animation without insisting on surrender of existing regular permit, the petitioner has come up before this Court.

2. The petitioner is a regular stage carriage permit holder on the route between Perinthalmanna and Parappanangadi touching Nedumparamba and Kunnathparamba in respect of stage carriage bearing Reg.No.KL-53-A-2090. The petitioner alleges that due to repeated defects of the vehicle, he is not in a position to operate his service promptly and he is intending to replace the above vehicle with a later model vehicle. The petitioner submitted Ext.P2 request before the respondent for release of the vehicle without insisting on

..2..

surrender of existing regular permit. As the respondent has taken the stand that the clearance certificate for a vehicle covered by the permit can be given only after surrender of the existing regular permit, 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 prayer, the writ petition is disposed of directing the respondent to consider and pass appropriate orders on Ext.P2 application submitted by the petitioner within a period of two weeks from the date of receipt of a copy of this judgment. However, the petitioner shall produce records relating to the vehicle intended to be replaced, within four months from the date of clearance.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

bka/-