

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. 23344 of 2015 (P)

PETITIONER:

**GEORGE THOMAS, S/O.THOMAS,
RESIDING AT KODIMATHA, KOTTAYAM.**

BY ADV. SRI.I.DINESH MENON

RESPONDENT:

**THE SECRETARY
REGIONAL TRANSPORT AUTHORITY,
KOTTAYAM - 686 002.**

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:**

mbr/

WP(C).No. 23344 of 2015 (P)

APPENDIX

PETITIONER(S)' EXHIBITS:

EXHIBIT P1. TRUE COPY OF THE REGULAR PERMIT ISSUED TO THE PETITIONER.

EXHIBIT P2. TRUE COPY OF THE TEMPORARY PERMIT DATED 2.7.15.

**EXHIBIT P3. TRUE COPY OF THE REQUEST SUBMITTED BY THE PETITIONER
BEFORE THE RESPONDENT DATED 20.7.15.**

EXHIBIT P4. TRUE COPY OF THE JUDGMENT IN WPC 8840/2015 DATED 20.3.15.

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

mbr/

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 23344 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 permitless certificate, the petitioner has come up before this Court.

2. The petitioner is a stage carriage operator and Ext.P1 regular permit belonging to him, which is valid till 01.11.2015, is endorsed to stage carriage No.KL-58 E 1899, a 2014 model vehicle, on the route between Chempakapara and Changanacherry. He submitted Ext.P3 request before the respondent for releasing KL-58 E 1899 from Ext.P1 permit so as to enable him to produce a suitable later model vehicle for replacement. The petitioner points out that it is evident from Ext.P3 that his intention is to release the vehicle alone and not the permit. The petitioner further points out that the vehicle covered by a permit can be released from the permit

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keeping the permit under suspended animation till such time as another vehicle is offered for replacement during the currency of the permit is no longer res integra. The petitioner's grievance is that the respondent is not entertaining Ext.P3 request submitted by him. It is in this context, 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 relief, this writ petition is disposed of directing the respondent to issue permitless certificate to the petitioner within a period of two weeks from the date of receipt of a copy of this judgment.

To facilitate an early action, the petitioner shall be at liberty to produce a copy of this judgment as well as a copy of this writ petition before the respondent at the earliest.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

bka/-