

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

MONDAY, THE 21ST DAY OF DECEMBER 2015/30TH AGRAHAYANA, 1937

WP(C).No. 23354 of 2015 (T)

PETITIONER:

**KERALA STATE ROAD TRANSPORT CORPORATION
TRANSPORT BHAVAN, FORT, THIRUVANANTHAPURAM
REPRESENTED BY ITS ZONAL MANAGER, SASIDHARAN.**

BY ADV. SRI.P.C.CHACKO(PARATHANAM)

RESPONDENTS:

**1. THE REGIONAL TRANSPORT AUTHORITY
KALPETTA, WAYANAD DISTRICT
REPRESENTED BY ITS SECRETARY-673121.**

**2. THE REGIONAL TRANSPORT OFFICER
KALPETTA P.O.,
WAYANAD-673121.**

BY SR. GOVERNMENT PLEADER SMT. SANJEETHA K.A

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
21-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

- P1 :** TRUE COPY OF THE TEMPORARY PERMIT ISSUED BY THE SECRETARY RTA, WAYANAD DT.10-4-15.
- P1A :** TRUE COPY OF THE PERMIT ISSUED BY THE SECRETARY, RTA, WAYANAD DT.26-3-15 IN THE MANANTHAVADY-SULTHAN BATHERY ROUTE.
- P1B :** TRUE COPY OF THE PERMIT ISSUED BY THE SECRETARY, RTA, WAYANAD DT.26-3-15 IN THE MANANTHAVADY-SULTHAN BATHERY ROUTE.
- P2 :** TRUE COPY OF THE APPLICATION DT.7-4-15 FOR SCHEDULE OF TIMINGS SUBMITTED BY THE PETITIONER BEFORE THE RTA, KALPETTA.
- P3:** TRUE COPY OF THE APPLICATION DT.2-7-15 FILED BEFORE R2 BY THE PETITIONER.
- P4:** TRUE COPY OF THE REPRESENTATION FROM ATO, MANANTHAVADY TO R2 DT.10-7-2015.
- P5:** TRUE COPY OF THE DECISION DATED 10.04.2015 TAKEN BY THE FIRST RESPONDENT
- P6:** TRUE COPY OF THE REPRESENTATION GIVEN BY THE ASSISTANT TRANSPORT OFFICER, KSRTC DATED 23.11.2015 BEFORE THE SECOND RESPONDENT

RESPONDENT(S)' EXHIBITS:- NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 23354 OF 2015

Dated this the 21st day of December, 2015

JUDGMENT

Ext. P5 series decisions of the Regional Transport Authority, Wayanad grant four fresh regular permits to the Kerala State Road Transport Corporation to operate chain service on the route Mananthavady - Sulthan Bathery. But the grant has been made subject to the settlement of timings contrary to Rule 212 of the Kerala Motor Vehicles Rules. This aspect of the matter is concluded by the decision in **Haridas v. K.S.R.T.C. [1990 (1) KLT 708]**.

2. Ext. P5 series decisions in so far as it direct settlement of timings are hereby quashed. The first respondent Regional Transport Authority is directed to issue the regular permits granted to the Kerala State Road Transport Corporation on the basis of the timings proposed by them. The timings proposed are reflected in

Ext. P2 application for regular permit put in by Kerala State Road Transport Corporation. The regular permit granted shall be issued within a period of two weeks from today.

The writ petition is disposed of.

**V. CHITAMBARESH
JUDGE**

DCS