

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. 23465 of 2015 (G)

PETITIONER(S):

**K.K. NAZAR, KARAKUNNATH HOUSE,
PERINGALA P.O, PALLIKKARA.**

BY ADV. SRI.P.DEEPAK.

RESPONDENT(S):

- 1. THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
ERNAKULAM -682 030.**
- 2. SHINE VARGHESE,
KARTHEDATHPALAPILLIL HOUSE, IRUMPANAM P.O.,
CHITRAPUZHA, ERNAKULAM -682 306.**

R1 BY GOVT. PLEADER SMT.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:**

rs.

WP(C).No. 23465 of 2015 (G)

APPENDIX

PETITIONER'S EXHIBITS:-

EXHIBIT P1. COPY OF THE TIME SCHEDULE ISSUED TO KL.07.AQ.6107.

**EXHIBIT P2 COPY OF THE PROCEEDINGS OF THE RTA, ERNAKULAM
DATED 26.05.2015 IN ITEM NO.4.**

EXHIBIT P3 COPY OF THE REPRESENTATION DATED 30.07.2015.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.A. TO JUDGE

rs.

A.V.RAMAKRISHNA PILLAI, J.

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W.P(C) No.23465 of 2015

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Dated this the 4th day of August, 2015

JUDGMENT

The petitioner is seeking a direction to the first respondent to consider Ext.P3 objection submitted by the petitioner and make appropriate modifications to the timings proposed by the second respondent while settling the timings for operation of the second respondent's stage carriage.

2. The petitioner is a stage carriage operator operating on the route between Puthencruz, Info Park, Kakkanad and Thripunithura via Irumpanam on the strength of a regular permit to his stage carriage bearing No.KL-07/AQ 6107. The petitioner alleges that by proceedings of the Regional Transport Authority, Ernakulam dated 26.05.2015, the second respondent was granted with a regular permit to conduct service on the route between Thripunithura, HMT Junction and Info Park Main Gate.

3. The regular permit has been granted subject to settlement of timings. In the light of the above rider imposed by the Regional Transport Authority, it is incumbent on the first respondent to convene a timing conference and settle the timings prior to issue of regular permit to the second respondent. The petitioner points out that the second respondent is making all endeavour to get the permit issued with the timings proposed by him. The grievance of the petitioner is that any issue of the regular permit with the time schedule proposed by the second respondent without prior settlement of timings would cause prejudice to him. It is with this background, the petitioner has come up before this Court.

4. Arguments have been heard.

5. The learned counsel for the petitioner confined his argument to the limited prayer for a direction to the first respondent to consider Ext.P3 objection within a time frame. Considering the nature of the submission made, this Court is of the view that the writ petition can

be disposed of even without issuing notice to the second respondent.

Therefore, the writ petition is disposed of directing the first respondent to consider Ext.P3 objection within a period of one month from the date of receipt of a copy of this judgment after affording the petitioner and the second respondent an opportunity of being heard.

Sd/-

A.V.RAMAKRISHNA PILLAI
JUDGE

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