

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. 23598 of 2015 (Y)

PETITIONER :

**A.N.VASANTHY,
KARIYEZHATH HOUSE, PERINJANAM.P.O.,
THRISSUR.**

BY ADV. SRI.I.DINESH MENON

RESPONDENT :

**THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
THRISSUR-680 002**

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:**

sts

WP(C).NO.23598/2015

APPENDIX

PETITIONER'S EXHIBITS:

- P1 COPY OF THE JUDGMENT IN WP(C).NO.21531 OF 2015 DATED 21/7/2015**
- P2 COPY OF THE APPLICATION FOR TEMPORARY PERMIT ON THE ROUTE
KUMARANCHIRA AMBALAM-KARALAM-IRINJALAKUDA-MOONNUPEEDIKA**
- P3 COPY OF THE FEE RECEIPT EVIDENCING PAYMENT OF REQUISITE FEE FOR
TEMPORARY PERMIT**
- P4 COPY OF THE COVERING LETTER ACCOMPANYING THE APPLICATION FOR
TEMPORARY PERMIT.**

RESPONDENT'S EXHIBITS: NIL

/TRUE COPY/

P.A.TO JUDGE

sts

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 23598 of 2015

Dated this the 5th day of August, 2015.

JUDGMENT

The petitioner is aggrieved by the non-consideration of Ext.P2 application for temporary permit in respect of his stage carriage on the route between Kumaranchira and Ambalam-Karalam-Irinjalakuda via Moonnupeedika.

2. The petitioner alleges that he had preferred an application for regular permit and the same was considered by the RTA and it is adjourned only on the ground that the time schedule produced was not in accordance with speed regulations. There was no other legal impediment that was found in refusing to grant of regular permit. Accordingly, the petitioner has now produced a rectified time schedule. This Court by judgment in W.P.(C) No.21531 of 2015 has directed consideration of the application for regular permit. The RTA meeting is not scheduled and the petitioner does not know when his application for regular permit would be processed. The petitioner has now applied for a temporary permit in the

light of Onam Festival season and also pending finalisation of the application for regular permit. Onam is an accepted temporary need as envisaged under Section 87 (1) (a) as well as under Section 87 (1) (c). 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 submissions and the nature of the relief sought for, the writ petition is disposed of directing the respondent to consider Ext.P2 application for temporary permit and to pass positive orders on the same, in the light of Onam Festival season, within a period of one week from the date of receipt of a copy of this judgment.

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

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

Scl.