

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. 23604 of 2015 (A)

PETITIONER:

**T.A.NAZAR,
THUNDIPARAMBIL HOUSE,
MANNAMTHURUTH , VARAPPUZHA,
ERNAKULAM DISTRICT.**

BY ADV. SRI.P.DEEPAK

RESPONDENT:

**SECRETARY,
REGIONAL TRANSPORT AUTHORITY, ERNAKULAM,
PIN 682030.**

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:**

PJ

WP(C).No. 23604 of 2015 (A)

APPENDIX

PETITIONER(S)' EXHIBITS

P1: A TRUE COPY OF THE REPRESENTATION DTD 23/7/2015

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No.23604 of 2015

Dated this the 5th day of August, 2015.

JUDGMENT

The petitioner is seeking a direction to the respondent to consider and pass appropriate orders on Ext.P1 representation filed under Rule 212 of the Kerala Motor Vehicles Rules, 1989 for the revision of his own timings.

2. The petitioner is a stage carriage operator. The petitioner alleges that he is conducting service on the route between Kadamakudy and Vyttila on the strength of a regular permit issued to his stage carriage bearing registration No.KL-45/2020 with a time schedule approved by the respondent herein on 24.7.2014. The petitioner further alleges that there are at present only three stage carriages operating between Kadamakudy and Vyttila. Nevertheless, the timings are allotted in close proximity with the timings allotted to the two other stage carriages conducting service on the sector. According to the petitioner, this arrangement benefits no one.

The petitioner points out that 5.26 p.m. departure time from Vyttila allotted to the petitioner's service is just two minutes behind the departure time (5.24 p.m.) allotted to KL-07/AH 8391. Likewise, in the afternoon trip, the petitioner's service passes Edapally at 3.02 p.m. which is just three minutes behind KL-05/L 1121. According to the petitioner, unnecessary waiting time is provided at the termini. The last trip from Vyttila commences after a halt of more than one hour. It is in the above circumstances that the petitioner has filed Ext.P1 representation before the respondent. However, the same has not been considered by the respondent so far. 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 Senior 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 and pass appropriate orders on Ext.P1 representation, after affording the petitioner and the

affected operators, an opportunity of being heard, within a period of one month 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.