

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

THURSDAY, THE 13TH DAY OF AUGUST 2015/22ND SRAVANA, 1937

WP(C).No. 23631 of 2015 (D)

PETITIONER:

THOMAS.Y,
BETHEL HOUSE,
PATTIKKAD P.O, THRISSUR.

BY ADV. SRI.I.DINESH MENON

RESPONDENT(S):

THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
PALAKKAD 678 001.

ADDL.R2 IMPEADED

2. BIBIN ALAPATT, AGED 35, S/O.THOMAS,
ALAPATT HOUSE, PURANATTUKARA.P.O., THRISSUR.

ADDL. R2 IS IMPEADED AS PER ORDER DATED 13.08.2015
IN IA.11796/2015.

R1 BY GOVERNMENT PLEADER SMT.K.A.SANJEETHA
ADDL.R2 BY ADV. SRI.M.JITHESH MENON

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 13-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

mbr/

WP(C).No. 23631 of 2015 (D)

APPENDIX

PETITIONER(S)' EXHIBITS:

EXHIBIT P1. THE TRUE COPY OF THE TIME SCHEDULE BY VIRTUE OF WHICH THE PETITIONER WAS OPERATING.

EXHIBIT P2. TRUE COPY OF THE REQUEST SUBMITTED BY THE PETITIONER BEFORE THE RESPONDENT.

RESPONDENT(S)' EXHIBITS:

EXT.R2 : TRUE COPY OF THE REGULAR PERMIT OF THE PETITIONER DATED 18.2.2014.

//TRUE COPY//

P.S. TO JUDGE

mbr/

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 23631 of 2015

Dated this the 13th day of August, 2015.

JUDGMENT

The petitioner is aggrieved by the non-consideration of Ext.P2 request for revision of his own timings.

2. The petitioner is an existing permit holder on the route between Guruvayur and Palakkad with Stage carriage bearing registration No.KL-8/AN-2552. The timings of the petitioner was issued on 31.7.2011. The petitioner alleges that though earlier he had preferred a request for revision and though a timing conference was scheduled, the same was not convened properly and the claim of the petitioner for vacant timings was not considered. The petitioner further alleges that he has now preferred a request pointing out the vacant timings of various services that are available on the route in question. It is the duty of the secretary, RTA to conduct an enquiry as to whether there are such vacant timings that are available as

pointed out in Ext.P2 request and to consider the petitioner's request for revision of timings and pass orders on the question as to whether the vacant timings could be issued or not. It is with this background, the petitioner has come up before this Court.

3. Subsequent to the filing of the writ petition, additional second respondent was impleaded.

4. I have heard the learned counsel for the petitioner, the learned counsel for the additional second respondent and the learned Government Pleader in the matter.

Considering the nature of the submissions and the nature of the reliefs as sought for, the writ petition is disposed of directing the first respondent to consider and pass appropriate orders on Ext.P2 request, after affording the petitioner, the second respondent and other affected parties, if any, 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 first respondent at the earliest.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

Scl.