

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

THURSDAY, THE 6TH DAY OF AUGUST 2015/15TH SRAVANA, 1937

WP(C).No. 23814 of 2015 (B)

PETITIONER(S):

**SOBHANA,
KUZHIVILA VEEDU, KURAKANNI, VARKALA,
THIRUVANANTHAPRUAM DISTRICT.**

BY ADV. SRI.O.D.SIVADAS

RESPONDENT(S):

- 1. THE REGIONAL TRANSPORT AUTHORITY,
THIRUVANANTHAPRUAM (RURAL), ATTINGAL - 695 101.**
- 2. THE SECRETARY, REGIONAL TRANSPORT AUTHORITY,
THIRUVANANTHAPRUAM (RURAL), ATTINGAL - 695 101.**
- 3. KERALA STATE ROAD TRANSPORT CORPORATION,
TRANSPORT HOUSE, THIRUVANANTHAPRUAM,
REPRESENTED BY ITS MANAGING DIRECTOR - 695 001.**

**R1 & R2 BY GOVERNMENT PLEADER SMT.K.A.SANJEETHA
R3 BY ADV. SRI.P.C.CHACKO, SC**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
06-08-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 23814 of 2015 (B)

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1 TRUE COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER.

EXT.P2 TRUE COPY OF THE PROCEEDINGS DATED 18-04-2015

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msv/

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 23814 of 2015

Dated this the 6th day of August, 2015

J U D G M E N T

Aggrieved by the rejection of application for regular permit on the ground that there is scheme violation, the petitioner has come up before this Court.

2. The petitioner applied for regular permit on the route Kappil H.S. - Sivagiri Mutt. While considering the application, on the basis of the direction issued by the RTA, the petitioner submitted modified proposal avoiding the objectionable overlapping. The modified route is Kappil H.S. - Varkala Railway Station. The petitioner alleges that without taking note of the above modified proposal, the RTA rejected the application. According to the petitioner, modified application does not objectionably overlap the notified sector and there is no legal impediment in granting regular permit to the petitioner on the route sought by him. The petitioner's grievance is

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that though modified application was submitted as directed by the RTA, the same was rejected by Ext.P2. Hence, this writ petition.

3. Heard the learned counsel for the petitioner, the learned senior Government Pleader and the learned Standing Counsel for the respondent corporation.

As it is submitted that Ext.P1 is the modified proposal, this writ petition is disposed of directing the respondents to reconsider the issue in the light of Ext.P1 after affording the petitioner and the respondent corporation an opportunity of being heard in the meeting scheduled to be held on 11.08.2015 and to pass orders thereon without delay.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

bka/-