

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. 23902 of 2015 (K)

PETITIONER:

**FROIDEN DIAZ, S/O. PHILIP DIAZ,
CHIRAMMEL HOUSE, THUNDATHUMKADAVU,
VARAPPUZHA, ERNAKULAM DISTRICT.**

BY ADV. SRI. SAJU J.VALLYARA

RESPONDENT:

THE SECRETARY, RTA, ERNAKULAM

BY SENIOR GOVERNMENT PLEADER SMT. ANITHA RAVINDRAN

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

APPENDIX

PETITIONER(S)' EXHIBITS

EXT. P-1: PHOTOCOPY OF THE PROCEEDINGS OF THE REGIONAL TRANSPORT
AUTHORITY, ERNAKULAM DATED 26.05.2015 VIDE ITEM NO. 11.

EXT. P-2: PHOTOCOPY OF THE APPLICATION FOR 4 MONTHS TEMPORARY PERMIT
SUBMITTED BY THE PETITIONER BEFORE THE RESPONDENT ON
04.08.2015.

EXT. P-3: PHOTOCOPY OF THE PROPOSED TIMINGS SUBMITTED ALONG WITH
EXT.P2.

RESPONDENT(S)' EXHIBITS - **NIL**

//TRUE COPY//

P.A. TO JUDGE

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 23902 of 2015

Dated this the 6th day of August, 2015

JUDGMENT

The petitioner is seeking a direction to issue regular permit or to issue temporary permit with his proposed timings.

2. The petitioner has applied for a regular stage carriage permit on the route North Parur – Vyttila Hub as ordinary service. The RTA, Ernakulam has granted the regular permit to the petitioner in respect of stage carriage KL-43-5618 subject to settlement of timings by Ext.P1 proceedings. Pursuant to the grant, the petitioner has produced the current records of the vehicle in time for the issue of permit. According to the petitioner, he has to pay huge amount by way of loan installments and motor vehicles tax. In the meantime, the petitioner has submitted Ext.P2 application for 4 months temporary permit on the above route along with a covering letter explaining the need for issuing temporary permit. It is alleged that the respondent has not so far taken any steps to

issue the regular permit or temporary permit. According to the petitioner, if there is any delay in issuing the permit, the timings suggested by the petitioner would be taken by other operators and thereby the petitioner will be put to difficulties.

3. I have heard the learned counsel for the petitioner and the learned senior Government Pleader in the matter.

Considering the nature of the reliefs and nature of the submissions, this writ petition is disposed of directing the respondent to issue permit granted as per Ext.P1 within a period of two weeks from the receipt of a copy of this judgment. In the mean time, Ext.P2 application for temporary permit with proposed timings shall be considered after affording to petitioner and affected operators if any an opportunity of being heard, if required without delay.

Sd/-

A.V. RAMAKRISHNA PILLAI
JUDGE

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