

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

TUESDAY, THE 11TH DAY OF AUGUST 2015/20TH SRAVANA, 1937

WP(C).No. 23980 of 2015 (V)

PETITIONER :

**SHAJI KUMAR.R,
S/O.RAMAN, PALANALIKKUNNATHIL HOUSE,
MUNDUKOTTACKAL P.O, PATHANAMTHITTA.**

BY ADV. SRI.O.D.SIVADAS

RESPONDENT :

**THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
PATHANAMTHITTA -689 645.**

BY GOVERNMENT PLEADER SMT. K.A.SANJEETHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 11-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).No. 23980 of 2015 (V)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1. COPY OF THE REQUEST DATED 4.8.2015 SUBMITTED BY THE
PETITIONER.**

RESPONDENT(S)' EXHIBITS:

NIL

/TRUE COPY/

P.A.TO JUDGE

sts

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No.23980 of 2015

Dated this the 11th day of August, 2015.

JUDGMENT

The petitioner is seeking a direction to the respondent to issue clearance certificate in respect of his stage carriage bearing registration No.KL-03/T 7438.

2. The petitioner is operating a stage carriage between Punaloor and Thiruvalla and the permit belonging to the petitioner is endorsed to stage carriage No.KL-03/T 7438. The petitioner alleges that his vehicle is not fit to operate due its bad condition and he intends to replace the vehicle by another vehicle. The petitioner further alleges that due to financial difficulties, the petitioner is not in a position to purchase a new vehicle by retaining the existing vehicle. In short, only by utilizing the money derived by selling the present vehicle, the petitioner would be able to purchase another vehicle so as to replace the existing vehicle. Accordingly, the petitioner submitted an application to issue clearance certificate.

However, the respondent has not granted clearance certificate as sought by the petitioner.

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

Considering the nature of the prayer and the nature of the submissions, the writ petition is disposed of directing the respondent to issue clearance certificate of the petitioner's stage carriage No.KL-03/T 7438 without insisting for surrender of permit and keeping the permit under suspended animation within a period of two weeks from the date of receipt of a copy of this judgment. The petitioner shall produce the records of the incoming vehicle within a period of four months from the date of issue of clearance certificate.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

Scl.