

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

MONDAY, THE 10TH DAY OF AUGUST 2015/19TH SRAVANA, 1937

WP(C).No. 24141 of 2015 (P)

PETITIONER :

**UDAYAN, AGED 48 YEARS,
KOTTARATHIL VEEDU, MEENADU,
NEDUMGOLAM P.O., PARAVUR, KOLLAM.**

BY ADV. SRI.O.D.SIVADAS

RESPONDENT :

**THE SECRETARY
REGIONAL TRANSPORT AUTHORITY, KOLLAM 691 001.**

BY GOVERNMENT PLEADER SMT. K.A. SANJEETHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 10-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

WP(C).No. 24141 of 2015 (P)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1: COPY OF THE APPLICATION FOR TEMPORARY PERMIT.

EXHIBIT P2: COPY OF THE JUDGMENT DATED 8.5.15 IN WPC 13497/15.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

A.V.RAMAKRISHNA PILLAI, J.

W.P.(C)No.24141 of 2015

Dated this the 10th day of August, 2015.

J U D G M E N T

The petitioner is seeking a direction to the respondent to consider Ext.P1 application for temporary permit.

2. The petitioner is the owner of stage carriage bearing No.KL 02 S/7767. He applied for temporary permit on the Paravur - Kollam Andamukkam route in the vacancy of stage carriage bearing No.KL 2 T/5500, since the original bus was not operating and thereby there is temporary vacancy in that route.

3. The petitioner made Ext.P1 application for grant of four months temporary permit in its place by offering the stage carriage KL-02 S/7767. According to the petitioner, on account of non operation of the original permit, there is temporary need under Section 87(1) of the Motor Vehicles Act and non issue of temporary permit to the petitioner is not legal and justifiable and this Court had occasion to

consider similar matters and Ext.P2 is one among the same. It is with this background, the petitioner has approached this Court.

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

4. Considering the nature of relief sought for and the submissions made, this writ petition is disposed of directing the respondent to consider and pass positive orders on Ext.P1 application granting temporary permit if the application is otherwise in order, in the light of Ext.P2, within a period of 2 weeks of receipt of a copy of this judgment, as the Onam festival is forthcoming.

To facilitate early action, it shall be open to the petitioner to produce a copy of this judgment as well as a copy of the writ petition before the respondent concerned at the earliest.

Sd/-
A.V.RAMAKRISHNA PILLAI,
Judge.

ami/

//True copy//

P.A.to Judge