

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

MONDAY, THE 17TH DAY OF AUGUST 2015/26TH SRAVANA, 1937

WP(C).No. 24210 of 2015 (A)

PETITIONER:

**SAJITH, THAZHETHEYIL,
RAMANATTUKARA, KOZHIKODE.**

BY ADV. SRI.G.PRABHAKARAN

RESPONDENT:

**THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
KOZHIKODE - 673 020.**

BY GOVERNMENT PLEADER SMT.K.A.SANJEETHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 17-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

WP(C).No. 24210 of 2015 (A)

APPENDIX

PETITIONER(S)' EXHIBITS:

EXHIBIT P1 : THE TRUE COPY OF THE PERMIT NO P.ST. 11/1763/2015 18-06-2015.

EXHIBIT P2 : TRUE COPY OF THE REQUEST FILED BY THE PETITIONER BEFORE
RESPONDENT DATED 5-08-2015 VEHICLE NO. KL 10/R 5319 ON THE
ROUTE PARUTHIPARA-FEROKE COLLEGE-RAMANATTUKARA-
MELEPUTHUKOVE.

EXHIBIT P3 : TRUE COPY OF THE JUDGMENT DATED 30-07-2015 IN
WPC NO 22137/2015.

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

mbr/

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 24210 of 2015

Dated this the 17th day of August, 2015

J U D G M E N T

The limited prayer in this writ petition is for a direction to the respondent to consider and pass appropriate orders on Ext.P2, which was submitted by the petitioner for clearance certificate without insisting on surrender of regular permit.

2. The petitioner is a stage carriage operator and the regular permit belonging to him is endorsed to stage carriage No.KL 10/R 5319 on the route between Paruthipara and Meleputhukove via Feroke College and Ranattukara. The petitioner alleges that due to repeated break down of the vehicle, he is not in a position to operate his service promptly and he is intending to replace the above vehicle by a later model vehicle. The petitioner submitted Ext.P2 request before the respondent to issue clearance certificate to sell the present vehicle by keeping the permit under suspended animation. Though the

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petitioner has filed a replacement application earlier to replace with the aforesaid vehicle, that vehicle also became old and hence, that replacement application cannot be perused with; it is alleged. Accordingly, the petitioner filed a request to issue permitless certificate to sell the present vehicle keeping the permit under suspended animation. It is in this context, the petitioner has come up before this Court.

3. Heard the learned counsel for the petitioner and the learned Government Pleader in the matter.

Considering the nature of the prayer, the writ petition is disposed of directing the respondent to consider and pass appropriate orders on Ext.P2 application submitted by the petitioner within a period of two weeks from the date of receipt of a copy of this judgment. However, the petitioner shall produce records relating to the vehicle intended to be replaced, within four months from the date of clearance.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

bka/-