

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. 24266 of 2015 (G)

PETITIONER :

**K.S.SENTHIL ARASU
7/175, SAI SADAN, MANIYANKADU
KOPPAM, PALAKKAD TALUK,
PALAKKAD DISTRICT.**

BY ADV. SRI.I.DINESH MENON

RESPONDENT :

**THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY
PALAKKAD - 678 001.**

BY GOVT. 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:**

Mn

...2/-

WP(C).No. 24266 of 2015 (G)

APPENDIX

PETITIONERS' EXHIBITS :

- EXHIBIT P1. COPY OF THE APPLICATION FOR REGULAR PERMIT SUBMITTED BY THE PETITIONER.
- EXHIBIT P2. COPY OF THE DECISION OF THE R.T.A . AT ITS MEETING HELD ON 12.2.15 IN ITEM NO.67.
- EXHIBIT P3. COPY OF THE COVERING LETTER.
- EXHIBIT P4. COPY OF THE R.C. PARTICULARS OF THE VEHICLE IN RESPECT OF WHICH THE PETITIONER HAS SOUGHT FOR ISSUANCE OF REGULAR PERMIT.
- EXHIBIT P5. COPY OF THE APPLICATION FOR TEMPORARY PERMIT SUBMITTED PENDING ISSUANCE OF REGULAR PERMIT AND MENTIONING THE SPECIFIC TEMPORARY NEED OF ONAM FESTIVAL.

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

A.V.RAMAKRISHNA PILLAI, J.

W.P.(C)No.24266 of 2015

Dated this the 11th day of August, 2015.

J U D G M E N T

The petitioner is aggrieved by the non issue of either temporary permit or regular permit on the route Palakkad Stadium Bus Stand-Padalikkad, having the route length of 10.8 kms.

2. The petitioner is the grantee of a regular permit on the above route. Its route length is only 10.8 kms of which 2.5 kms is virgin area wherein no service is operating at present. According to the petitioner, the regular permit has not been issued for want of settlement of timing in spite of lapse of nearly four months and lapse of six months since the regular permit had been granted and hence the vehicle is forced to be kept idle.

3. The petitioner made Ext.P1 application for grant of regular permit, which has not been considered so far. He had also made an application for temporary permit, which

the Secretary R.T.A. is competent to grant and issue, pending issuance of regular permit in the light of Onam festival season. According to the petitioner, this Court had occasion to consider similar matters and hold that there is nothing illegal in issuing a permit with a provisional set of timings and thereafter to settle the timings. 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 as under :

- 1) The respondent is directed to settle the timings in respect of the regular permit already granted, within a period of one month, after affording an opportunity of being heard.
- 2) The respondent is directed to consider the application of temporary permit **within a period of one week** and pass positive orders thereon and issue the same if the same is otherwise in order, taking into account the forthcoming Onam festival.

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