

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. 24311 of 2015 (L)

PETITIONER(S):

**SULAIMAN, S/O. SAIDALAVI,
KUNDOOKKARA HOUSE,
PADINHATTUMURI P.O.,
MALAPPURAM DISTRICT.**

BY ADV. SRI.SAJU J.VALLYARA.

RESPONDENT(S):

**THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
MALAPPURAM - 676 505.**

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:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- P1 - PHOTOCOPY OF THE APPLICATION FOR REGULAR PERMIT SUBMITTED BY THE PETITIONER ON 02.07.2015.**
- P2 - PHOTOCOPY OF THE PROPOSAL TIMINGS SUBMITTED ALONG WITH EXT. P1 APPLICATION.**
- P3 - PHOTOCOPY OF THE APPLICATION FOR 4 TEMPORARY PERMIT SUBMITTED BY THE PETITIONER ON 29.07.2015.**
- P4 - PHOTOCOPY OF THE COVERING LETTER DATED 29.07.2015 SUBMITTED ALONG WITH EXT. P3 BEFORE THE RESPONDENT.**

RESPONDENT'S EXHIBITS:- **NIL.**

//TRUE COPY//

PA. TO JUDGE

rs.

A.V.RAMAKRISHNA PILLAI, J.

W.P.(C)No.24311 of 2015

Dated this the 11th day of August, 2015.

J U D G M E N T

The petitioner is seeking a direction to consider Ext.P3 temporary permit application pending consideration of Ext.P1 application for regular permit.

2. The petitioner has applied for a regular stage carriage permit on the route Vairankode temple - Payyanad Stadium by Ext.P1 application. The petitioner has submitted Ext.P3 application for 4 months temporary permit along with proposed timings, taking into consideration of the urgent temporary need u/s.37(1)(c) of the Motor Vehicles Act and in view of the pendency of the regular permit application. According to the petitioner, the respondent has not so far taken any steps to consider Ext.P3 application on merit. It is with this backdrop, the petitioner approached this Court.

3. The petitioner is seeking a direction to the respondent to issue 4 months temporary permit to him in

respect of stage carriage KL-13-K-4536 to operate on the above route by considering Ext.P3 application on the basis of proposed timings, pending consideration of Ext.P1 regular permit application.

4. I have heard the standing counsel for the respondent and the counsel for the petitioner.

5. Considering the submissions made and the relief sought in this petition, this writ petition is disposed of as under :

1) The respondent is directed to consider Ext.P1 application for regular permit within a period of one month.

2) The respondent shall consider Ext.P3 application for temporary permit and pass positive orders on the same, pending consideration of Ext.P1 regular permit application, within a period of 2 weeks from today, taking into account the forthcoming Onam festival season, if the same is otherwise in order.

Sd/-

**A.V.RAMAKRISHNA PILLAI,
Judge.**

ami/

//True copy//

P.A. to Judge