

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI**

**WEDNESDAY, THE 19TH DAY OF AUGUST 2015/28TH SRAVANA, 1937**

**WP(C).No. 24378 of 2015 (V)**  
-----

**PETITIONER :**  
-----

**SUSHA S.,  
PRASANNA BHAVAN, VADASSERIKONAM P.O,  
CHENNANCODU, VARKALA.**

**BY ADV. SRI.O.D.SIVADAS**

**RESPONDENT :**  
-----

**THE SECRETARY,  
REGIONAL TRANSPORT AUTHORITY,  
(THIRUVANANTHAPURAM RURAL), ATTINGAL-695 308.**

**BY GOVERNMENT PLEADER SMT. K.A.SANJEETHA**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 19-08-2015, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:**

**sts**

**WP(C).No. 24378 of 2015 (V)**  
-----

**APPENDIX**

**PETITIONER(S)' EXHIBITS**  
-----

**EXHIBIT P1: TRUE COPY OF THE APPLICATION FOR CLEARANCE SUBMITTED BY  
THE PETITIONER.**

**RESPONDENT(S)' EXHIBITS:** **NIL**  
-----

**/TRUE COPY/**

**P.A.TO JUDGE**

**sts**

**A.V. RAMAKRISHNA PILLAI, J.**

-----  
W.P.(C) No. 24378 of 2015  
-----

Dated this the 19<sup>th</sup> 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-16 M/3400.

2. The petitioner is operating a stage carriage between Varkala Temple and Attingal and the permit belonging to the petitioner is endorsed to stage carriage No.KL-16 M/3400. The petitioner alleges that the above vehicle is on lease agreement. On account of mechanical complaint, he would have to give back the vehicle to the registered owner by cancelling the lease agreement. Accordingly, the petitioner submitted an application to issue clearance certificate so as to alienate the vehicle without insisting for surrender of existing permit. However, the respondent has not granted clearance certificate as sought by the petitioner stating that the clearance

certificate can be issued only after surrendering the existing regular permit; it is alleged. It is with this background, the petitioner has come up before this Court.

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 to the petitioner's stage carriage No.KL-16 M/3400 without insisting for surrender of permit 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.