

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

THURSDAY, THE 13TH DAY OF AUGUST 2015/22ND SRAVANA, 1937

WP(C).No. 24610 of 2015 (A)

PETITIONER:

**V.K. SUNNY, S/O.KURIAKOSE,
VADAKAN HOUSE, KAVEED,
THRISSUR.**

BY ADV. SRI.G.PRABHAKARAN

RESPONDENT:

**THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY CUM
REGIONAL TRANSPORT OFFICER,
THRISSUR - 680 001.**

BY GOVERNMENT PLEADER SMT.K.A.SANJEETHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 13-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

WP(C).No. 24610 of 2015 (A)

APPENDIX

PETITIONER(S)' EXHIBITS:

**EXHIBIT P1. TRUE COPY OF THE REQUEST FILED BY THE PETITIONER BEFORE
THE RESPONDENT ALONG WITH EXISTING AND PROPOSED TIMING
DATED 18.3.15 ON THE ROUTE KUNNAMKULAM - WADAKKANCHERRY,
WITH STAGE CARRIAGE KL 2/P 6297.**

EXHIBIT P2. TRUE COPY OF THE JUDGMENT DATED 6.8.15 IN WPC 23731/15.

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

mbr/

A.V.RAMAKRISHNA PILLAI, J.

W.P.(C)No.24610 of 2015

Dated this the 13th day of August, 2015.

J U D G M E N T

The petitioner is seeking a direction to the respondent authority to change the timings of his own stage carriage KL 2/P 6297.

2. The petitioner is a senior stage carriage permit holder operating on the route Kunnankulam-Wadakkanchery, with the above referred vehicle. According to the petitioner, the timing of its service was last issued on 11.9.2014. It is contended that, he filed Ext.P1 request to revise the existing timing for the changes that occurred due to the change of circumstances under Rule 145(7) of the Kerala Motor Vehicle Rules. The petitioner alleges that the request is not disposed of by the Secretary. According to him, since there is a recent notification fixing the rate of running time for single lane roads, different than that of the

double lane road etc., the petitioner is amenable for issue of such rate of timing. However, Ext.P1 is for the grant of certain particular timings only. According to the petitioner, the respondent authority is not taking any action to pass orders on Ext.P1 request filed by the petitioner before the respondent along with existing and proposed timing on the above route. It is with this background the petitioner has approached this Court.

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

Considering the reliefs sought for and the submissions made, this writ petition is disposed of directing the respondent to consider and pass orders on Ext.P1 request within a period of one month of receipt of copy of this judgment after affording the petitioner as well as the affected parties, if any, an opportunity of being heard.

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

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

ami/

//True copy//

P.A. to Judge