

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. 24665 of 2015 (G)

PETITIONER :

**PHILIP CHERIYAN
S/O.CHERIAN PHILIP, THEKKANAL HOUSE, KULATHOOR P.O.,
MALLAPPILLY, PATHANAMTHITTA DISTRICT.**

BY ADV. SRI.P.DEEPAK

RESPONDENT :

**THE SECRETARY
REGIONAL TRANSPORT AUTHORITY
PATHANAMTHITTA - 689 645.**

BY GOVT. 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:**

Mn

...2/-

WP(C).No. 24665 of 2015 (G)

APPENDIX

PETITIONERS' EXHIBITS :

EXHIBIT P1. COPY OF APPLICATION FOR TEMPORARY PERMIT FILED ON 23.7.15.

EXHIBIT P2. COPY OF APPLICATION FOR REGULAR PERMIT FILED ON 23.7.15.

EXHIBIT P3. COPY OF THE JUDGMENT DATED 9.4.14 IN WP(C) NO. 10614 OF 2014.

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

A.V.RAMAKRISHNA PILLAI, J.

W.P.(C)No.24665 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 to consider Ext.P1 temporary permit application pending consideration of Ext.P2 application for regular permit.

2. The petitioner is a stage carriage operator. According to the petitioner, on 23.7.2015, he submitted an application for the grant of a temporary permit in respect of stage carriage bearing registration number KL-28/B 1217, to conduct service on the route Chunkappara-Thiruvalla. It is submitted that, the petitioner has also filed a separate application for a regular permit on the selfsame route on 23.7.2015 itself. According to the petitioner, on the next day of the filing of the above submissions, ie., on 24.7.2015, the meeting of the RTA, Pathanamthitta was held. Consequently, Ext.P2 application could not be boarded up for consideration in the said meeting of the RTA. However, according to the

petitioner, Ext.P1 application for temporary permit can be sanctioned by the respondent in exercise of power delegated to him under Rule 133 of the KMV Rules,1989. It is with this backdrop, the petitioner approached this Court to direct the respondent to consider Ext.P1 application.

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

4. Considering the submissions made and the relief sought in this petition, this writ petition can be disposed of directing the respondent to consider Ext.P1 application for temporary permit.

Therefore, this writ petition is disposed of directing the respondent to consider Ext.P1 application for temporary permit and pass positive orders on the same, 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