

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. 24721 of 2015 (M)

PETITIONER :

**SHAFNA BASHEER
MOOTHEDAM HOUSE, KANDANTHARA, ALLAPRA P.O.
PERUMBAVOOR, ERNAKULAM DISTRICT.**

BY ADV. SRI.P.DEEPAK

RESPONDENTS :

**1. THE REGIONAL TRANSPORT AUTHORITY
MUVATTUPUZHA - 686 661.**

**2. THE SECRETARY
REGIONAL TRANSPORT AUTHORITY
MUVATTUPUZHA - 686 661.**

R1 & R2 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. 24721 of 2015 (M)

APPENDIX

PETITIONERS' EXHIBITS :

**EXHIBIT P1. A TRUE COPY OF APPLICATION FOR REGULAR PERMIT FILED ON
13.07.2015.**

**EXHIBIT P2. A TRUE COPY OF APPLICATION FOR TEMPORARY PERMIT FILED ON
06.08.2015.**

**EXHIBIT P3. TRUE COPY OF THE REPRESENTATION DATED 06.08.2015 OF THE
PRINCIPAL, GOVERNMENT H.S.S., AKANAD.**

**EXHIBIT P3(a). TRUE COPY OF THE REPRESENTATION DATED 03.08.2015 OF THE
PRESIDENT, KOOVAPPADY GRAMA PANCHAYAT.**

**EXHIBIT P3(b). TRUE COPY OF THE REPRESENTATION DATED 03.08.2015 OF THE
MLA, PERUMBAVOOR.**

**EXHIBIT P4. A TRUE COPY OF THE JUDGMENT DATED 09.04.2014 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.24721 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 consider Ext.P2 temporary permit application pending consideration of Ext.P1 application for regular permit.

2. The petitioner is a stage carriage operator. On 13.7.2015, the petitioner submitted Ext.P1 application for the grant of a regular permit to conduct service on the route Malayattoor-Perumbavoor-Aluva via New Bridge and Rajagiri Hospital, across the newly constructed Malayattoor-Kodanad bridge. Ext.P1 application was boarded up for consideration in the Agenda for the meeting of the RTA scheduled to be held on 6.8.2015. However, the said meeting did not materialise and stands adjourned to 17.8.2015. It was in the said scenario, that on 6.8.2015 itself, the petitioner submitted Ext.P2 application for

temporary permit to conduct service on the route in question. Along with Ext.P2 application, the petitioner also submitted a representation from the Principal, Government H.S.S., Akanad and another representation from the President, Koovappady grama panchayat requesting for immediate introduction of the proposed service and another representation to that effect was also preferred by the local MLA, ie., Exts.P3, P3(a), and P3(b) respectively. According to the petitioner, in an identical matter, this Court has passed Ext.P4 judgment. It is also alleged that the respondent has not so far taken any steps to consider Ext.P2 application for temporary permit pending disposal of Ext.P1 application for regular permit. It is with this backdrop, the petitioner has approached this Court.

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

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

- 1) The 2nd respondent is directed to consider Ext.P1 application for regular permit within a period of one month.
- 2) The respondent shall consider Ext.P2 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