

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

MONDAY, THE 14TH DAY OF SEPTEMBER 2015/23RD BHADRA, 1937

WP(C).No. 24746 of 2015 (P)

PETITIONER(S)/PETITIONER:

EMIL B.K, AGED 42 YEARS
S/O LATE SHRI KUNJU KUNJU
RESIDING AT BALLIPADATH HOUSE, CHOORNIKKARA
THAIKKATTUKARA, ALUVA-683106.

BY ADVS.SRI.G.HARIHARAN
SRI.PRAVEEN.H.

RESPONDENT(S)/RESPONDENT:

THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY, CIVIL STATION
ERNAKULAM-682030.

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

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
14-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- P1 TRUE COPY OF THE REGULAR PERMIT VALID UPTO 14.07.2014 ISSUED BY THE RESPONDENT IN THE NAME OF THE PETITIONER TO OPERATE ON THE ROUTE ALUVA-PERUMPADAPPU
- P2 TRUE COPY OF THE APPLICATION DATED 06.03.2015 FILED UNDER SECTION 87 (1)(D) OF THE MOTOR VEHICLES ACT FOR THE GRANT OF FOUR MONTHS TEMPORARY PERMIT ON THE ROUTE ALUVA,PERUMPADAPPU
- P3 TRUE COPY OF THE TEMPORARY PERMIT BY THE RESPONDENT ON 29.04.2015 FOR 20 DAYS WHICH WAS VALID UPTO 18.05.2015
- P4 TRUE COPY OF THE APPLICATION DATED 04.05.2015 SUBMITTED BY THE PETITIONER BEFORE THE RESPONDENT
- P5 TRUE COPY OF THE JUDGMENT MADE IN W.P(C)18285/2015 DATED 18.06.2015
- P6 TRUE COPY OF THE PROCEEDINGS OF THE RESPONDENT ISSUED ON 13.07.2015 REJECTING EXHIBIT.P4 APPLICATION
- P7 TRUE COPY OF THE PROCEEDINGS DATED 04.08.2015 ISSUED BY THE SECRETARY RTA,MALAPPURAM IN A SIMILAR CASE.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) No.24746 of 2015

Dated this the 14th day of September, 2015

J U D G M E N T

The application for renewal of regular permit has already been rejected on the ground that it is a notified route. The application for temporary permit has also been rejected for various reasons. Whether the reasons are tenable or not is a matter to be decided in appeal only. The petitioner has an effective remedy by way of appeal under Section 89 of the Motor Vehicles Act.

The writ Petition is dismissed without prejudice to the right of the petitioner as above.

Sd/-
V.CHITAMBARESH,
Judge.

nj.