

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

MONDAY, THE 17TH DAY OF AUGUST 2015/26TH SRAVANA, 1937

WP(C).No. 24801 of 2015 (A)

PETITIONER(S):

**E.A.GEORGE,
ELAVUMKUDIYIL HOUSE, KOTHAMANGLAM.**

BY ADV. SRI.K.V.GOPINATHAN NAIR

RESPONDENT(S):

**THE SECRETARY, REGIONAL TRANSPORT AUTHORITY,
IDUKKI, PIN-685 602.**

BY GOVERNMENT PLEADER SMT.K.A.SANJEETHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
17-08-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 24801 of 2015 (A)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1- TRUE COPY OF THE 4 MONTHS TEMPORARY PERMIT APPLICATION
SUBMITTED BY THE PETITIONER ON THE ROUTE KOTHAMANGALAM-
ADIMALY BEFORE THE RESPONDENT DATED 13-4-2015.**

**EXHIBIT P2- TRUE COPY OF THE JUDGMENT OF THIS HONOURABLE COURT IN
WPC NO. 12869/2015 DATED 24-4-2015.**

**EXHIBIT P3- TRUE COPY OF THE DECISION OF THE REGIONAL TRANSPORT
AUTHORITY, IDUKKI DATED 18-6-2015.**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.A.TO JUDGE.

Ms v/

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 24801 of 2015

Dated this the 17th day of August, 2015

J U D G M E N T

The petitioner has come up before this Court seeking a direction to the respondent to issue temporary permit pending disposal of regular permit application.

2. The petitioner submitted Ext.P1 application for temporary permit. As per Ext.P2, this Court directed consideration of Ext.P1 application by the respondent. Being an inter-district route, the petitioner limited the period to 20 days so that there need not be any concurrence from any authority for issue of temporary permit. However, the respondent placed the said application also along with the regular permit application. For the regular permit, as per Ext.P3, the RTA decided to obtain concurrence from the RTA, Muvattupuzha. However, with regard to the temporary permit, the same is also adjourned, which, according to the petitioner, is improper, illegal and wholly unjustified. The petitioner

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points out that pending issue of regular permit, necessarily, the respondent can issue temporary permit to the petitioner, especially, during the Onam festival season. According to him, there is failure on the part of the respondent in performing his statutory duty. Hence, this writ petition.

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

4. The learned Government Pleader, on instructions, submitted that the respondent has to obtain a report from the concerned MVI regarding the factual situation.

Therefore, this writ petition is disposed of directing the respondent to issue positive orders granting temporary permit if the report is in favour of the petitioner and if it is otherwise in order.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

bka/-