

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. 24813 of 2015 (B)

PETITIONER :

**MOOSSA SANJITH KOLAKKADAN
KOLAKKADAN HOUSE, CHERUVADI P.O.,
KOZHIKODE DISTRICT.**

BY ADV. SRI.K.V.GOPINATHAN NAIR

RESPONDENT :

**THE SECRETARY
REGIONAL TRANSPORT AUTHORITY,
MALAPPURAM, PIN - 676 505.**

BY GOVT. 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:**

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WP(C).No. 24813 of 2015 (B)

APPENDIX

PETITIONERS' EXHIBITS :

- EXT.P1 TRUE COPY OF THE 4 MONTHS TEMPORARY PERMIT APPLICATION
SUBMITTED BY THE PETITIONER ON THE ROUTE KALIKAVU-
KOZHIKODE PALAYAM BUS STAND DATED 2-7-2015.**
- EXT.P2 TRUE COPY OF THE JUDGMENT OF THIS HONOURABLE COURT IN
W.P(C) NO. 21069/2015 DATED 13-07-2015.**
- EXT.P3 TRUE COPY OF THE INTIMATION ISSUED BY THE RESPONDENT
DATED 30-07-2015.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 24813 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. The petitioner alleges that now, the respondent intimated the petitioner that he has decided to place the application in the RTA meeting scheduled to 12.08.2015 for consideration and taking a decision. He further alleges that the said meeting has been adjourned even without fixing a date and the application submitted by the petitioner for temporary permit will be of no use if

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considered later. The petitioner points out that pending issue of regular permit, 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/-