

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. 24963 of 2015 (U)

NAME AND ADDRESS OF THE PETITIONER(S) :

**B.A.SUNIL,
SUNIL NIVAS, CHERUSSERY BHAGHAM, CHAVARA P.O, KOLLAM,
REPRESENTED BY POWER OF ATTORNEY HOLDER K.THANKAMANI,
W/O.BASHEER AHAMMAED, SUNIL NIVAS, CHERUSSERY BHAGHAM,
CHAVARA P.O., KOLLAM.**

BY ADV. SRI.O.D.SIVADAS

NAME AND ADDRESS OF THE RESPONDENT(S) :

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

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:**

Msd.

WP(C).No. 24963 of 2015 (U)

APPENDIX

PETITIONER(S)' EXHIBITS :

**EXHIBIT P1: COPY OF THE APPLICATION FOR TEMPORARY PERMIT
DATED 07.08.2015.**

**EXHIBIT P2: THE COPY OF THE JUDGMENT DATED 08.05.2015 IN
W.P.(C).NO.13497 OF 2015.**

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

A.V.RAMAKRISHNA PILLAI, J.

W.P.(C)No.24963 of 2015

Dated this the 17th 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 application for temporary permit.

2. The petitioner is the owner of stage carriage bearing No.KL-2/R 2644. The petitioner applied for temporary permit on the route Karunagappally-Pathanamthitta in the vacancy of stage carriage bearing No.KL-08/F 2075. According to the petitioner, the original bus is not operating and therefore, there is temporary need warranting issue of temporary permit. It is also his contention that, on account of non operation of the original permit also, there is temporary need under Section 87(1) of the Motor Vehicles Act and there is warranting circumstances to grant and issue temporary permit to the petitioner. He submitted Ext.P1 application on this respect. Since the respondent is refusing to countenance Ext.P1, the petitioner has approached this Court.

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

Considering the nature of relief sought for and the submissions made, this writ petition is disposed of directing the respondent to consider and pass positive orders on Ext.P1 application granting temporary permit, if the application is otherwise in order, within a period of 2 weeks of receipt of copy of this judgment, so as to enable the petitioner to operate his stage carriage in the light of the forthcoming Onam season.

To facilitate early action, it shall be open to the petitioner to produce a copy of this judgment as well as a copy of the writ petition before the respondent concerned at the earliest.

Sd/-
A.V.RAMAKRISHNA PILLAI,
Judge.

ami/

//True copy//

P.A. to Judge