

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

TUESDAY, THE 18TH DAY OF AUGUST 2015/27TH SRAVANA, 1937

WP(C).No. 25010 of 2015 (A)

PETITIONER(S):

**RENJITH, S/O.REGUNANDANA MENON,
KANJIRAKKATTU HOUSE, THIRUVANKULAM,
ERNAKULAM DISTRICT.**

BY ADV. SRI.P.DEEPAK.

RESPONDENT(S):

**THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
ERNAKULAM- 682 030.**

BY GOVT. PLEADER SMT.K.A. SANJEETHA.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 18-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

WP(C).No. 25010 of 2015 (A)

APPENDIX

PETITIONER'S EXHIBITS:-

**EXT.P-1: A TRUE COPY OF THE DECISION OF THE REGIONAL TRANSPORT
AUTHORITY, ERNAKULAM DATED 26.05.2015.**

**EXT.P-2: A TRUE COPY OF THE REQUEST FOR REVISION OF TIMINGS
DATED 07.07.2015.**

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.A. TO JUDGE

rs.

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No.25010 of 2015

Dated this the 18th day of August, 2015.

JUDGMENT

The petitioner is seeking a direction to the respondent to consider Ext.P2 request for revision of timings while settling the timings in respect of the petitioner's service to operate on the varied route.

2. The petitioner is a stage carriage operator. He holds a regular permit to conduct service on the route between Poothotta and Perumbavoor via Kaloor-Kakkanad issued to his stage carriage bearing registration No.KL-07/BB 1801. The petitioner alleges that by proceedings of the RTA, Ernakulam dated 26.5.2015, his application for variation of permit has been allowed subject to settlement of timings. The petitioner further alleges that in the light of the rider imposed by the RTA, it is incumbent on the respondent to convene a timing conference and settle the timings for operating the stage carriage on the route as varied. In other words, a timing

conference is necessarily to be scheduled for the purpose of settling the timings of the petitioner's service. In fact, an earlier request submitted by the petitioner for a revision of the existing timings issued to the service is even now pending before the respondent. It is further pointed out that in Ext.P2, he has suggested slight variations to the timings of the existing trips. In fact, allowing the proposed revision would only better accommodate the variation sanctioned vide Ext.P1. If Ext.P2 is also considered by the respondent in the timing conference scheduled to be held to give effect to Ext.P1 decision, it would obviate the necessity of convening another timing conference for the purpose of considering Ext.P2 alone. However, the respondent refuses to countenance Ext.P2 unless otherwise ordered by this Court; it is alleged.

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

Considering the nature of the prayer sought for in the writ petition, the writ petition is disposed of directing the

respondent to consider and pass appropriate orders on Ext.P2 request submitted by the petitioner, within a period of one months from the date of receipt of a copy of this judgment, after affording the petitioner and other affected parties, an opportunity of being heard.

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

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

Scl.