

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

WEDNESDAY, THE 21ST DAY OF JANUARY 2015/1ST MAGHA, 1936

WP(C).No. 29480 of 2009 (D)

PETITIONER(S):

**JIMMY THOMAS, AGED 32 YEARS, S/O.THOMAS,
VIRAKODIYANAL HOUSE, THYANI P.O., KASARGODE DISTRICT,
NOW RESIDING AT HOUSE NO.102/XVI, MADAYACKAL,
MOOVATTUPUZHA P.O., ERNAKULAM DISTRICT.**

BY ADV. SRI.B.PRAMOD

RESPONDENT(S) :

- 1. STATE OF KERALA REPRESENTED BY
THE SECRETARY TO GOVERNMENT, TRANSPORT DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM.**
- 2. THE DEPUTY TRANSPORT COMMISSIONER(LAW)
CENTRAL ZONE-II, ERNAKULAM.**
- 3. ADDITIONAL LICENSING AUTHORITY,
SUB REGIONAL TRANSPORT OFFICE, PERUMBAVOOR.**

BY GOVERNMENT PLEADER SRI.T.J.MICHAEL

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 21-01-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

Msd.

WP(C).No. 29480 of 2009 (D)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1: A TRUE COPY OF THE RELEVANT PAGES OF THE LICENSE ISSUED TO THE PETITIONER.

EXHIBIT P2: A TRUE COPY OF THE PAPER BADGE ISSUED TO THE PETITIONER.

EXHIBIT P3: TRUE COPY OF THE COMMUNICATION DATED 02.05.2009 BY THE 2ND RESPONDENT.

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

K. VINOD CHANDRAN, J

W.P(C) No.29480 of 2009

Dated this the 21st day of January, 2015

J U D G M E N T

The petitioner admittedly, a permanent resident of Kasaragod, seeks cancellation of endorsement made in his driving license, disentitling him from driving Heavy Goods Vehicle (HGV) and Heavy Passenger Vehicle (HPV). The petitioner was granted Ext.P1 license in the year 2000 to drive Light Motor Vehicle. Subsequently the two additional licenses were granted on 30.12.2005 by the licensing authority of Perumbavoor. Widespread allegations were raised on the licenses issued by a particular incumbent in the office of the licensing authority. A special team was constituted to verify the records at the Sub Regional Transport Office, Perumbavoor. Furhter directions were issued in MACA No.

2947/2008 dated 13.01.2009, to verify all licenses issued by the said authority and also directed identification of the fraudulent ones for the purpose of revocation.

2. Pursuant to this, Transport Commissioner issued necessary directions to hold Adalath at Perumbavoor for which wide publication was given in the print and electronic media. The License holders who were issued such licenses by the concerned authority was directed to produce the licenses for verification at the Adalath, which was conducted for a total of five days. Out of the 1034 licenses verified in the Adalath, only 253 licenses were proved to have been issued fraudulently, one of which was the petitioner's additional licenses. Before cancellation was effected, it is stated by the Government in its counter affidavit that the licenses were heard by the team consisting of the then Licensing Authority,

Muvattupuzha and Additional Licensing Authority Perumbavoor. On verification of genuineness and on being satisfied about the fraudulent issue, the team in the Adalath, which also obtained consent from the licensees, revocation was effected. The consent issued by the petitioner is produced herein as Ext.R2(f).

In such circumstance, the writ petition is devoid of merit and the same is dismissed. No costs.

Sd/-
(K. VINOD CHANDRAN, JUDGE)

jma //true copy//

P.A to Judge