

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

FRIDAY, THE 21ST DAY OF AUGUST 2015/30TH SRAVANA, 1937H

WP(C).No. 25342 of 2015 (P)

PETITIONER :

**BRIJESH K. THOMAS
S/O.K.A.THOMAS, KATTAMKOTTIL HOUSE, SASIMALA P.O.,
PULPALLY, WAYANAD**

BY ADV. SRI.P.DEEPAK

RESPONDENT :

**THE SECRETARY
REGIONAL TRANSPORT AUTHORITY,
WAYANAD- 673001**

BY GOVT. PLEADER SMT. K.A. SANJEETHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 21-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

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WP(C).No. 25342 of 2015 (P)

APPENDIX

PETITIONERS' EXHIBITS :

**EXT. P1: TRUE COPY OF THE REQUEST FOR CLEARANCE CERTIFICATE FILED
 ON 17.08.2015.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 25342 of 2015

Dated this the 21st day of August, 2015

J U D G M E N T

The petitioner is seeking a direction to the respondent to issue clearance certificate to the petitioner's vehicle without insisting on surrender/cancellation of existing permit.

2. The petitioner holds a regular permit to conduct service on the route between Madappillykunnu and Kunnathukavala via Pulpally and Meenangady issued in respect of stage carriage bearing Reg.No.KL-12/E 5157. As the petitioner is intending to replace the above vehicle, preferably, by a later model vehicle, he submitted Ext.P1 request before the respondent to issue clearance certificate keeping the permit under suspended animation. It is in this context, the petitioner has come up before this Court.

3. Heard the learned counsel for the petitioner and the learned Government Pleader in the matter.

Considering the nature of the prayer, the writ petition

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is disposed of directing the respondent to consider and pass appropriate orders on Ext.P1 application submitted by the petitioner and issue clearance certificate without insisting on surrender of regular permit, within a period of two weeks from the date of receipt of a copy of this judgment. However, the petitioner shall produce records relating to the vehicle intended to be replaced, within four months from the date of clearance.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

bka/-