

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. 25469 of 2015 (G)

PETITIONER :

**NIGESH.A.,
ANAYODAN HOUSE, PEELEN,
KANOOL, KANNUR.**

BY ADV. SRI.I.DINESH MENON

RESPONDENT :

**THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
KANNUR-670 001**

BY GOVERNMENT 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:**

sts

WP(C).NO.25469/2015

APPENDIX

PETITIONER'S EXHIBITS:

- P1 COPY OF THE REGULAR PERMIT ISSUED TO THE PETITIONER.**
- P2 COPY OF THE RC BOOK OF KL-13 L 4590.**
- P3 COPY OF THE REQUEST DATED 10/8/2015**
- P4 COPY OF THE JUDGMENT IN WP(C).NO.16186/2015 DATED 5/6/2015.**

RESPONDENT'S EXHIBITS: NIL

/TRUE COPY/

P.A.TO JUDGE

sts

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 25469 of 2015

Dated this the 21st day of August, 2015

J U D G M E N T

Seeking a direction to the respondent to issue clearance certificate, the petitioner has come up before this Court.

2. The petitioner is a stage carriage operator and Ext.P1 regular permit belonging to him, which is valid till 02.03.2020, is endorsed to stage carriage No.KL-13 L 4590, a 2004 model vehicle, on the route between Dharmasala and Pulluppukadavu via Payangadi. He submitted Ext.P3 request before the respondent for releasing the said vehicle from Ext.P1 permit so as to enable him to produce a suitable model vehicle for replacement. The petitioner points out that it is evident from Ext.P3 that his intention is to release the vehicle alone and not the permit. The petitioner further points out that the vehicle covered by a permit can be released from the permit keeping the permit under suspended

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animation till such time as another vehicle is offered for replacement during the currency of the permit is no longer res integra. The petitioner's grievance is that the respondent is not entertaining Ext.P3 request submitted by him. 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 is disposed of directing the respondent to consider and pass appropriate orders on Ext.P3 application submitted by the petitioner 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/-