

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

THURSDAY, THE 20TH DAY OF AUGUST 2015/29TH SRAVANA, 1937

WP(C).No. 25488 of 2015 (I)

PETITIONER(S) :

MOHAMMEDALI K., S/O KUHALAN,
KURUVAKKUNNAN HOUSE,
KUNNAKKAVU P.O.,
MALAPPURAM DIST.

BY ADV.SAJU J.VALLYARA

RESPONDENT(S) :

THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
MALAPPURAM,
PIN - 676 505

BY SENIOR GOVERNMENT PLEADER SMT.K.A.SANJEETHA

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 20-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

WP(C).No. 25488 of 2015 (I)

APPENDIX

PETITIONER' (S) EXHIBITS:

EXT.P1 COPY OF TEMPORARY PERMIT NO.P.TEM.10/1172/2015 DATED
07.05.2015 ISSUED BY THE RESPONDENT TO THE PETITIONER.

EXT.P2 COPY OF THE APPLICATION DATED 17.08.2015 SUBMITTED BY THE
PETITIONER BEFORE THE RESPONDENT.

RESPONDENT' (S) EXHIBITS: NIL

//TRUE COPY//

PA TO JUDGE

bka/-

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 25488 of 2015

Dated this the 20th day of August, 2015

J U D G M E N T

The petitioner is seeking a direction to the respondent to consider Ext.P2 application and reissue 4 months' temporary permit in continuation of Ext.P1.

2. The petitioner is a registered owner of a stage carriage bearing Reg.No.KL-10-M-3425. The RTA, Malappuram has granted a regular permit in respect of stage carriage bearing Reg.No.KL-10-M-8840 to operate on the route between Palathole and Pattambi. The petitioner alleges that the said vehicle is not operating service since the vehicle is under Form-G due to major repairs and the petitioner has submitted renewal application and the same is pending. Therefore, the petitioner submitted an application for grant of 4 month's temporary permit in respect of another vehicle bearing Reg.No.KL-10-M-3425. As per the judgment in WP(C) No.12883/2015, this Court directed the respondent to issue 4 months' temporary

..2..

permit; and pursuant to that, the petitioner was issued with a 4 month's temporary permit as evidenced by Ext.P1. Before the expiry of Ext.P1, the petitioner has applied for reissue of temporary permit as per Ext.P2. According to the petitioner, the respondent is legally bound to consider and dispose of Ext.P2, reissuing temporary permit till the route bus resumes service. Hence, this writ petition.

3. Heard the learned counsel for the petitioner and the learned senior Government Pleader.

Considering the nature of the relief, the writ petition is disposed of directing the respondent to consider and pass positive orders of Ext.P2 within a period of two weeks from the date of receipt of a copy of this judgment.

To facilitate an early action, the petitioner shall be at liberty to produce a copy of this judgment and a copy of this writ petition before the respondent at the earliest.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

bka/-