

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. 25512 of 2015 (L)

PETITIONER(S) :

**MANAGING PARTNER,
CHIRANJANA TRAVELS, CHITTATTUKARA, VADAKKEKARA P.O,
NORTH PARUR.**

BY ADV. SRI.M.JITHESH MENON

RESPONDENT(S) :

- 1. THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY, ERNAKULAM,
CIVIL STATION, ERNAKULAM, KAKKANAD, KOCHI- 30.**
- 2. SRI.FROIDEN DIAZ,
CHIRAMMEL HOUSE, THUNDATHUMKADAVU, VARAPUZHA,
ERNAKULAM DISTRICT- 682 028.**

R1 BY 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:**

Msd.

WP(C).No. 25512 of 2015 (L)

APPENDIX

PETITIONER(S)' EXHIBITS :

**EXHIBIT P1: TRUE COPY OF THE REGULAR PERMIT OF THE PETITIONER
DATED 22.10.2010.**

**EXHIBIT P2: TRUE COPY OF THE REGULAR PERMIT OF THE PETITIONER
DATED NIL.**

**EXHIBIT P3: TRUE COPY OF THE OBJECTION FILED BY THE PETITIONER
DATED 10.08.2015.**

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 25512 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 1st respondent to consider the objection submitted by the petitioner at the time of consideration of the application for temporary permit submitted by the 2nd respondent.

2. The petitioner is an existing operator on the route between Kaloor and North Parur with stage carriages bearing Reg.Nos.KL-7/AZ 1338 and KL-42/A 1755. The 2nd respondent had applied for a regular permit to operate on the route between North Parur and Vyttila Hub. The application for regular permit was considered by the RTA, Ernakulam in its meeting held on 26.05.2015 and the same was granted subject to settlement of timings. The 2nd respondent had also preferred an application for temporary permit to commence operation and the said application was directed to be considered by this Court in WP(C) No.23902/2015. The consideration of the application for temporary permit and the issue of the same with the proposed timings would adversely

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affect the operation of the petitioner's service since the timings proposed by the 2nd respondent clashes with the timings of the services operated by the petitioner; it is alleged. Hence, the petitioner filed a detail objection as per Ext.P3. The petitioner apprehends that the same would not be considered by the 1st respondent in its proper perspective, especially, in view of the fact that the application for temporary permit submitted by the 2nd respondent is being considered pursuant to the direction rendered by this Court. Hence, this writ petition.

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

Considering the nature of the prayer, the writ petition is disposed of directing the 1st respondent to consider the objection submitted by the petitioner and afford the petitioner and the affected parties an opportunity of being heard before issuing temporary permit to the 2nd respondent.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

bka/-