

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

MONDAY, THE 14TH DAY OF SEPTEMBER 2015/23RD BHADRA, 1937

WP(C).No. 25609 of 2015 (A)

PETITIONER:

IMMANUEL JOSEPH,
KUZHITHOTTU HOUSE,
CHETHIMATTAM, PALA P.O.,
KOTTAYAM DISTRICT.

BY ADV. SRI. SAJEEV KUMAR K. GOPAL

RESPONDENTS:

1. THE REGIONAL TRANSPORT AUTHORITY,
KOTTAYAM - 686 002,
REPRESENTED BY ITS SECRETARY.
2. THE SECRETARY,
THE REGIONAL TRANSPORT AUTHORITY,
KOTTAYAM - 686 002.
3. JOSE MATHEW, PARAKULANGARA HOUSE,
ERUMELY P.O., KANJIRAPPALLY,
KOTTAYAM - 686 509.
4. THE KERALA STATE ROAD TRANSPORT CORPORATION
REPRESENTED BY ITS DISTRICT TRANSPORT OFFICER
KOTTAYAM- 686 001.

R4 BY ADV. SRI. P. C. CHACKO, SC, KERALA STATE ROAD TRANSPORT CORPN.
R3 BY ADV. SRI. I. DINESH MENON
BY GOVERNMENT PLEADER SRI. P. O. PADMALAYAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 14-09-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1 - TRUE COPY OF THE REGULAR PERMIT IN RESPECT OF THE STAGE CARRIAGE BEARING REGISTRATION NO. KL-05/P-6444.
- EXHIBIT P2 - TRUE COPY OF THE REGULAR PERMIT IN RESPECT OF THE STAGE CARRIAGE BEARING REGISTRATION NO. KL-05/P-6030.
- EXHIBIT P3 - TRUE COPY OF THE REGULAR PERMIT IN RESPECT OF THE STAGE CARRIAGE BEARING REGISTRATION NO. KL-05/U-9081.
- EXHIBIT P4 - TRUE COPY OF THE DECISION OF THE 1ST RESPONDENT AT ITS MEETING HELD ON 24.3.2015 IN ITEM NO. 12 FROM THE MINUTES OF THE REGIONAL TRASPORT AUTHORITY, KOTTAYAM.
- EXHIBIT P5 - TRUE COPY OF THE AGENDA IN WHICH ITEM NO. 7 APPEARED.
- EXHIBIT P6 - RUE COPY OF THE DECISION OF THE 1ST RESPONDENT AT ITS MEETING HELD ON 06.07.2015.

RESPONDENT(S)' EXHIBITS

- EXHIBIT R3(a) - TRUE COPY OF THE NOTIFICATION DATED 14.07.2009.
- EXHIBIT R3(b) - TRUE COPY OF THE JUDGMENT IN WP(C) NO. 9489/2015 DATED 30.03.2015.

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 25609 OF 2015

Dated this the 14th day of September, 2015

JUDGMENT

Ext.P6 proceedings granting a regular permit to the third respondent is impugned on the ground that there is a overlapping on the notified route. The matter involves factual adjudication for which a revision petition is the appropriate remedy.

2. Any revision filed under Section 90 of the Motor Vehicles Act within three weeks from today shall be dealt with expeditiously. The interim order in force in this writ petition will continue to operate for a period of one month to enable the petitioner to seek appropriate interim orders in the revision petition.

3. Needless to say that Ext.P6 proceedings can be given effect to in case no revision petition is filed by the writ petitioner within the time stipulated.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**