

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. 25638 of 2015 (D)

PETITIONER(S):

**ASHRAF,
S/O.KUNJUMHAMMED, KOORIMANNIL,
PULPETTA, MALAPPURAM DISTRICT.**

BY ADV. SRI.G.HARIHARAN

RESPONDENT(S):

- 1. THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
MALAPPURAM - 676 505.**
- 2. THE REGIONAL TRANSPORT AUTHORITY,
MALAPPURAM, REPRESENTED BY ITS SECRETARY,
PIN - 676 505.**

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:**

msv/

APPENDIX

PETITIONER(S)' EXHIBITS:

EXT.P1: TRUE COPY OF THE FOUR MONTHS TEMPORARY PERMIT ISSUED TO THE PETITIONER TO OPERATE ON THE ROUTE AREACODE - PARAPPANAGADI ON 6.5.2015.

EXT.P2: TRUE COPY OF THE FOUR MONTHS TEMPORARY PERMIT GRANTED BY THE 1ST RESPONDENT TO THE PETITIONER TO OPERATE ON THE ROUTE AREACODE - PARAPPANAGADI TOUCHING EDATHUNATTUKARA FOR THE PERIOD ENDING ON 5.4.2015.

EXT.P3: TRUE COPY OF THE RECEIPT NO.6837711 DTD.31.7.2015 ISSUED BY THE 1ST RESPONDENT'S OFFICE FOR THE GRANT OF FOUR MONTHS TEMPORARY PERMIT ON THE ROUTE AREACODE - PARAPPANAGADI TOUCHING EDATHUNATTUKARA.

EXT.P4: TRUE COPY OF THE RECEIPT NO.10/74598/2015 DTD.11.5.2015 ISSUED BY THE 1ST RESPONDENT FOR THE GRANT OF FIVE YEARS REGULAR PERMIT TO OPERATE ON THE ROUTE AREACODE - PARAPPANAGADI TOUCHING EDATHUNATTUKARA IN THE SURRENDERED VACANCY OF BUS NO.KL-17B-7173.

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msv/

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No.25638 of 2015

Dated this the 20th day of August, 2015.

JUDGMENT

The petitioner is aggrieved by the delay in considering the application for re-issue of temporary permit and in considering the application for grant of regular permit to operate on the route between Areacode and Parappanangadi touching Edathunattukara in the surrendered vacancy of stage carriage bearing registration No.KL-17 B-7173.

2. The petitioner is a stage carriage operator and registered owner of the stage carriage No. KL-13 Q-7023. The petitioner alleges that he had made an application for the issue of four months temporary permit to operate on the route between Areacode and Parappanangadi touching Edathunattukara in the vacancy of a lapsed timings of stage carriage bearing registration No.KL-17 B-7173. Accordingly, the application for four months temporary permit to operate on the route Areacode and Parappanangadi was granted and

issued by the first respondent on 6.5.2015 whereby the petitioner has been permitted to operate on the route from 6.5.2015 to 5.9.2015. The petitioner further alleges that he has filed an application for re-issue of the temporary permit for the period commencing from 6.9.2015 vide application dated 31.7.2015 to operate on the route Areacode and Parappanangadi touching Edathunattukara in the surrendered vacancy of stage carriage bearing registration No.KL-17 B-7173. The petitioner had also made an application for the grant of five year regular stage carriage permit from the date of issue to operate on the route Areacode and Parappanangadi vide application dated 11.5.2015. Neither the application for the re-issue of four months temporary permit from 6.9.2015 or the application for the grant of five year regular permit to operate on the route Areacode and Parappanangadi touching Edathunattukara in the surrendered vacancy of stage carriage bearing registration No.KL-17 B-7173 as evidenced by Exts. P3 and P4 receipts has been considered so far by the

respondents; it is alleged.

3. I have heard the learned counsel for the petitioner and the learned Senior Government Pleader in the matter.

Considering the nature of the reliefs and the nature of the submissions, the writ petition is disposed of directing the respondent to consider the application for regular permit within a period of two months. The respondent shall also consider the application for temporary permit and pass positive orders on the same, if the same is otherwise in order, within a period of two weeks from the date of receipt of the judgment.

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

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

Scl.