

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. 25648 of 2015 (E)

PETITIONER(S):

**SHARAFUDHEENKUTTY,
SHAHANA HOUSE, KADAPPA SOUTH,
MUNAGAPPALLY, KOLLAM, REPRESENTED BY
POWER OF ATTORNEY SALMABEEVI,
SHAHANA HOUSE, KADAPPA SOUTH,
MYNAGAPPALLY, KOLLAM.**

BY ADV. SRI.I.DINESH MENON

RESPONDENT(S):

**THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
KOLLAM - 691 001.**

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/

WP(C).No. 25648 of 2015 (E)

APPENDIX

PETITIONER(S)' EXHIBITS:

EXT.P1: TRUE COPY OF THE TEMPORARY PERMIT APPLICATION DTD.7.8.2015.

EXT.P2: TRUE COPY OF CHALAN FOR EXT.P1.

EXT.P3: TRUE COPY OF COVERING LETTER DTD.7.8.015.

EXT.P4: TRUE COPY OF THE JUDGMENT IN WP(C) NO.26643/2014 DTD.14.10.2014.

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.A.TO JUDGE.

MsV/

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 25648 of 2015

Dated this the 20th day of August, 2015.

JUDGMENT

The petitioner is aggrieved by the non-consideration of the application for temporary permit pending renewal application.

2. The petitioner was the holder of a regular stage carriage permit on the route Mundukottakkal - Pathanamthitta valid till 22.5.2011. The application for renewal of permit was submitted in time after remitting the necessary chalan along with other necessary documents. The petitioner alleges that since the basic vehicle KL-2 U 7682 met with a major accident and in a diapulated condition, the petitioner procured another vehicle KL-44 2545 on lease agreement and applied for replacement also. The RTA, Kollam considered the applications and rejected the same. Against which statutory revision as MVARP No.16/2015 was preferred and the same is pending before the Tribunal for want of records. Since the renewal as

well as the same is pending before the Tribunal for want of records. The petitioner further alleges that the renewal as well as the replacement applications are pending consideration, and there is urgent need on the route in question in the light of ensuing Onam festival, Aranmula Uthrittathi Vallamkali etc.

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

4. The learned Senior Government Pleader on instructions submitted that the temporary application submitted by the petitioner has already been rejected.

5. However, taking into account the forthcoming Onam festival, this Court is of the view that the matter requires reconsideration by the respondents.

Therefore, the writ petition is disposed of directing the respondents to consider the application for temporary permit de hors the rejection of the renewal of permit within a period of two weeks and to pass positive orders granting the same if the same is otherwise in order.

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.