

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

FRIDAY, THE 21ST DAY OF AUGUST 2015/30TH SRAVANA, 1937H

WP(C).No. 25867 of 2015 (G)

PETITIONER(S) :

**SHIBU MATHEW,
CHMPARUTHY HOUSE, THODUPUZHA EAST P.O.,
ERNAKULAM DISTRICT.**

BY ADV. SRI.P.DEEPAK

RESPONDENT(S) :

**THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
IDUKKI- 685 603.**

BY GOVERNMENT PLEADER SRI.K.A.SANJEETHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 21-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Msd.

WP(C).No. 25867 of 2015 (G)

APPENDIX

PETITIONER(S)' EXHIBITS :

**EXHIBIT P1: A TRUE COPY OF APPLICATION FOR TEMPORARY PERMIT FILED
ON 10.08.2015.**

**EXHIBIT P2: A TRUE COPY OF THE ROUTE ENQUIRY REPORT OF THE MOTOR
VEHICLES INSPECTOR, THODUPUZHA DATED 17.08.2015.**

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

A.V.RAMAKRISHNA PILLAI, J.

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W.P(C) No.25867 of 2015

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Dated this the 21st day of August, 2015

JUDGMENT

The petitioner is seeking a direction to the respondent to consider Ext.P1 application for temporary permit with proposed timings in the light of the urgent requirement on account of the Onam festival.

2. The petitioner is a stage carriage operator. On 10.8.2015, the petitioner submitted an application for grant of temporary permit for a period of 4 months to conduct service on the route Thodupuzha to Kaloor. The petitioner alleges that the temporary permit sought is on account of the urgent and particular temporary need subsisting in view of the ensuing Onam festival

3. The petitioner further alleges that on 17.8.2015, the Motor Vehicles Inspector, Thodupuzha submitted a route enquiry report emphatically endorsing the immediate introduction of the proposed service. The following extract from Ext.P2 report reveals the undeniable need for a service on the route in question:

*“Very urgent necessity on the route and coming
Onam and Sabarimala season it will be helpful to the*

traveling public. No time clash, average 20 minutes gap to other stage carriages."

4. The grievance of the petitioner is that any delay in considering the application would render the entire exercise infructuous as the temporary need specified would vanish. It is with this background, the petitioner has approached this Court.

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

6. The learned counsel for the petitioner confined his argument to the limited prayer for a direction to the respondent to consider and pass appropriate orders on Ext.P1 application for temporary permit within a time frame.

Considering the nature of the relief sought for and the submissions made, the writ petition is disposed of directing the respondent to consider Ext.P1 application and and pass positive orders granting temporary permit to the petitioner, if it is otherwise in order, within a period of one month from the date of receipt of a copy of this judgment.

Sd/-
A.V.RAMAKRISHNA PILLAI
JUDGE

krj