

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, 1937

WP(C).No. 25931 of 2015 (N)

PETITIONER :

**M.A. AUGUSTINE, S/O. AUGUSTY,
MUKKADAYIL HOUSE, VELLAPPAD,
PALA.P.O., KOTTAYAM DISTRICT.**

BY ADV. SRI.O.D.SIVADAS

RESPONDENT(S):

- 1. THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
KOTTAYAM-686 001**
- 2. PHILIP C JOHN, CHIRACKAL HOUSE,
LAKKATTOOR.P.O., KOTTAYAM-686 001**

R1 BY GOVERNMENT PLEADER SMT. 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:**

sts

WP(C).NO.25931/2015

APPENDIX

PETITIONER'S EXHIBITS:

- P1 COPY OF THE TIME SHEET ISSUED ON 1/1/2008**
- P2 COPY OF THE PERMIT DATED 6/9/2008**
- P3 COPY OF THE PROCEEDINGS DATED 18/6/2015.**
- P4 COPY OF THE APPLICATION DATED 19/8/2015.**

RESPONDENT'S EXHIBITS: NIL

/TRUE COPY/

P.S.TO JUDGE

sts

A.V.RAMAKRISHNA PILLAI, J

WPC No.25931 of 2015

Dated this the 21st day of August, 2015

JUDGMENT

The petitioner is seeking a direction from this Court to the first respondent to revise the petitioner's own timings.

2. The petitioner is an existing operator on the route between Thodupuzha and Kottayam and the second respondent is an operator on the route between Chingavanam and Kuruvilangad. According to the petitioner, the timing allotted to the second respondent for one trip is adversely affecting the petitioner very much. The petitioner's service proceeds from Thodupuzha and arrives Pala at 9.40 a.m. and depart from Pala at 9.48 a.m. and proceeds through Kidangoor, Ayarkunnam and Manarkad and reaches Kottayam at 11.03 a.m. The second respondent's service proceeds from Kuravilangad and arrives Kidangoor at 10.12 a.m. and proceeds to Chingavanam via. Ayarkunnam and Manarkad. The

second respondent's service proceeds from Manarkad at 10.42 a.m. The petitioner's service proceeds from Kidangoor at 10.13 a.m. and arrives Manarkad at 10.43 a.m. Both services are conducting on the sector Kidangoor-Manarkad with a time gap of only one minute which leads to overspeeding and competition among the operators. The common sector on the route is Kidangoor-Manarkad having a distance of 16 kms. According to the petitioner, there is acute time clash with the second respondent's service and the allotment of timing from Kidangoor to Manarkad to the second respondent's service is causing difficulties to the petitioner as well as the second respondent. The petitioner submitted Ext.P4 application. However, no action has been taken by the respondent so far. It is with this background, the petitioner has come up before this Court.

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

Considering the nature of submission and the nature of relief sought for, the first respondent is directed to

consider and pass orders on Ext.P4 application for revision of timings, after affording the petitioner, the second respondent or any other affected parties an opportunity of being heard, within a period of one month from the date of receipt of a copy of this judgment.

This writ petition is disposed of as above.

sd/-A.V.RAMAKRISHNA PILLAI
JUDGE

CSS/

true copy

P.S.TO JUDGE