

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

MONDAY, THE 7TH DAY OF SEPTEMBER 2015/16TH BHADRA, 1937

WP(C).No. 26148 of 2015 (P)

PETITIONER:

**DILIP KUMAR C.D.
S/O.DIVAKARAN, HOUSE NO.1945, WARD NO.3
CHERUNILATH HOUSE THAMMANAM P.O, COCHIN CORPORATION
COCHIN.**

**BY ADVS.SRI.T.R.S.KUMAR
SRI.SOBIN SOMAN**

RESPONDENTS:

**1. THE REGIONAL TRANSPORT AUTHORITY,
COLLECTORATE, ERNAKULAM - 682 030.**

**2. AJAS JABAAR
MULLAKKAMPILLIL HOUSE,
PADAMUGAL, THRIKKAKARA
KAKKANAD, KOCHI-30.**

R1 BY GOVERNMENT PLEADER SMT. K.A. SANJEETHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 07-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

DCS

APPENDIX

PETITIONER(S)' EXHIBITS

- P1 - TRUE COPY OF THE PUCCA PERMIT WITH TIME SCHEDULE ISSUED BY THE FIRST RESPONDENT.**
- P2 - TRUE COPY OF THE TIME SCHEDULE OF THE PUCCA PERMIT.**
- P3 - TRUE COPY OF THE APPLICATION FILED BY THE SECOND RESPONDENT BEFORE THE FIRST RESPONDENT, RTA FOR REGULAR PERMIT**
- P4 - TRUE COPY OF THE REPORT DATED 12.06.2015 OF THE MOTOR VEHICLE INSPECTOR**
- P5 - TRUE COPY OF THE PUCCA PERMIT DATED NIL ISSUED BY THE 1ST RESPONDENT**
- P6 - TRUE COPY OF THE PUCCA PERMIT DATED 4.8.2014 ISSUED BY THE 1ST RESPONDENT.**
- P7 - TRUE COPY OF THE DECISION OF THE 1ST RESPONDENT DT. 06.01.2014**
- P8 - TRUE COPY OF THE ROUTE MAP WITH THE PROPOSED TIME SCHEDULE DT. 21.12.2013**
- P9 - TRUE COPY OF THE JUDGMENT DT. 25.05.2015 IN WPC. NO.15202 OF 2015 PASSED BY THE HON'BLE HIGH COURT OF KERALA.**
- P10 - TRUE COPY OF THE APPLICATION DATED 04.6.2015 FILED BY THE 2ND RESPONDENT BEFORE THE 1ST RESPONDENT RTA FOR GRANTING TEMPORARY PERMIT.**
- P11 - TRUE COPY OF THE ORDER ISSUED BY THE 1ST RESPONDENT DATED 17.06.2015 PERMITTING FOR OPERATION OF BUS SERVICE.**
- P12 - TRUE COPY OF THE DETAILS OF THE STAGE CARRIAGE (BUS) HAVING TEMPORARY PERMIT IS DOWN LOADED FROM THE SITE**
- P13 - TRUE COPY OF THE ROUTE MAP OF THE STAGE CARRIAGE**
- P14 - TRUE COPY OF THE ROUTE ENQUIRY CONDUCTED BY THE MOTOR VEHICLE INSPECTOR DATED 9.9.2013**
- P15 - TRUE COPY OF THE COMPLAINT DATED 7.8.2015**

RESPONDENT(S)' EXHIBITS::-NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 26148 OF 2015

Dated this the 7th day of September, 2015

JUDGMENT

Ext. P11 order granting a temporary permit to the second respondent is impugned. Many factual and legal issues have been raised by the petitioner.

2. It will be appropriate to invoke the revisional jurisdiction under Section 90 of the Motor Vehicles Act, 1988. A revision lies to the State Transport Appellate Tribunal against Ext. P11 order.

The writ petition is dismissed without prejudice to the statutory remedy as indicated above.

**V. CHITAMBARESH
JUDGE**

DCS