

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

TUESDAY, THE 25TH DAY OF AUGUST 2015/3RD BHADRA, 1937

WP(C) .NO. 26263 OF 2015 (G)

NAME AND ADDRESS OF THE PETITIONER(S) :

ANILAKUMARI, W/O.JAYACHANDRAN, ANANDA BHAVANAM
PADANILAM P.O, NOORANAD

BY ADV. SRI.O.D.SIVADAS

NAME AND ADDRESS OF THE RESPONDENT(S) :

THE SECRETARY
REGIONAL TRANSPORT AUTHORITY
ALAPUZHA

BY GOVERNMENT PLEADER SRI.S.JAMAL

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
25-08-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) .NO. 26263 OF 2015 (G)

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: TRUE COPY OF THE PERMIT ISSUED TO THE PETITIONER

EXT.P2: TRUE COPY OF THE APPLICATION DATED 28.07.2015 SUBMITTED BY THE PETITIONER

EXT.P3: TRUE COPY OF THE NOTIFICATION DATED 30.08.2013 ISSUED BY THE TRANSPORT (B) DEPARTMENT, GOVT.OF INDIA

EXT.P4: TRUE COPY OF THE JUDGMENT IN W.P(C) .NO.5728 OF THIS HON'BLE COURT

RESPONDENTS' EXHIBITS: NIL

//TRUE COPY//

P A TO JUDGE

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C).No.26263 of 2015

.....
Dated this the 25th day of August, 2015

J U D G M E N T

The petitioner is an existing operator on the route Kanakakunnu-Athumbumkulam. He holds a permit which is valid till 22.07.2016. The petitioner has submitted Ext.P2 application for permission to replace the existing vehicle by producing a later model vehicle. The limited prayer in the writ petition is for a direction to the respondent to consider and pass orders on Ext.P2 application taking note of Ext.P4 judgment which has been rendered in similar circumstances.

2. I have heard the learned counsel for the petitioner and the learned Government Pleader for the respondent.

On a consideration of the facts and circumstances of the case and the submissions made across the bar, I dispose the writ petition with a direction to the respondent to consider and pass orders on Ext.P2 application preferred by the petitioner expeditiously and after hearing the petitioner, within a period of two weeks from the date of receipt of copy of the judgment. While passing orders as directed, the respondents shall take note of Ext.P4 judgment that has been

rendered in similar circumstances. The petitioner shall produce a copy of the writ petition together with a copy of this judgment before the respondent for further action.

A.K.JAYASANKARAN NAMBIAR
JUDGE

mns