

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

WEDNESDAY, THE 16TH DAY OF SEPTEMBER 2015/25TH BHADRA, 1937

WP(C).No. 27753 of 2015 (T)

PETITIONER:

**P.P.MOHAMMED ALI
PUTHANPEEDIKA HOUSE
PULPATTA
MALAPPURAM**

**BY ADVS.SRI.S.PRASANTH (AYYAPPANKAVU)
SMT.VARSHA BHASKAR**

RESPONDENTS:

- 1. REGIONAL TRANSPORT AUTHORITY
CIVIL STATION
MALAPPURAM DISTRICT - 676 505**
- 2. JAYAPRAKASH
S/O. GOVINDA VARRIER
KAILASA MANDIRAM
THIRUVALI (VIA)
MANJERI, MALAPPURAM - 676 121**

R1 BY GOVERNMENT PLEADER SMT. SANJEETHA K.A.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
16-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

DCS

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1. TRUE COPY OF THE STAGE CARRIAGE PERMIT GRANTED TO THE PETITIONER BY THE 1ST RESPONDENT

EXHIBIT P2. TRUE COPY OF THE STAGE CARRIAGE PERMIT GRANTED TO THE PREVIOUS OWNER OF THE VEHICLE WITH REGISTRATION NO. KL-05-R-3947

EXHIBIT P3. TRUE COPY OF ORDER NO. C6/4237/96/M DATED 30.08.1996 ISSUED BY THE 1ST RESPONDENT

EXHIBIT P4. TRUE COPY OF THE EXTRACT OF THE NOTICE FOR TIMING CONFERENCE DATED 5.8.2015 ISSUED BY THE 1ST RESPONDENT

EXHIBIT P5. TRUE COPY OF REGISTRATION PARTICULARS OF VEHICLE NO. KL-10 S 7195

EXHIBIT P6. TRUE COPY OF THE REPRESENTATION DATED 18.8.2015 GIVEN BY THE PETITIONER TO THE 1ST RESPONDENT ALONG WITH THE ACKNOWLEDGMENT

RESPONDENT(S)' EXHIBITS:- NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 27753 OF 2015

Dated this the 16th day of September, 2015

JUDGMENT

The petitioner was very much present when the timings were finalised on 17.08.2015 to operate services. The petitioner on the very next day (18.08.2015) has filed Ext. P6 objection to the timings. The writ petition has been filed seeking to consider Ext. P6 objection by the first respondent.

2. The remedy of the petitioner is to challenge the proceedings dated 17.08.2015 if he is aggrieved. A revision lies under Section 90 of the Motor Vehicles Act, 1988. It is upto the petitioner to establish that there is a clash in the timings with the services operated by the second respondent.

The writ petition is dismissed without prejudice to the right of the petitioner as above.

**V. CHITAMBARESH
JUDGE**

DCS