

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

MONDAY, THE 5TH DAY OF OCTOBER 2015/13TH ASWINA, 1937

WP(C).No. 30022 of 2015 (C)

PETITIONER(S):

P.M.ALAVI, AGED 52 YEARS
S/O.MOHAMMED UNNI
PUTHUSSEERIMADATHIL HOUSE
NARUKARA P.O., MANJERI
MALAPPURAM DISTRICT.

BY ADV. SRI.SAJU J.VALLYARA

RESPONDENT(S):

1. THE SECRETARY
REGIONAL TRANSPORT AUTHORITY
MALAPPURAM - 676 505.
2. THE STATE TRANSPORT AUTHORITY
KERALA, REPRESENTED BY ITS SECRETARY
TRANSPORT COMMISSIONERATE
THIRUVANANTHAPURAM - 695 039.

R BY GOVERNMENT PLEADER SMT.SANJEETHA K.A.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
05-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN W.P.(C) No.30022 of 2015

PETITIONER(S) EXHIBITS

- EXHIBIT P1 : PHOTOCOPY OF THE PROCEEDINGS OF THE FIRST
RESPONDENT VIDE ORDER NO.G2/2618/99M DATED 9.6.1999
- EXHIBIT P2 : PHOTO COPY OF THE PROCEEDINGS OF THE SECOND
RESPONDENT VIDE NO.D3/875/STA/2005 DATED 8.11.2011
- EXHIBIT P3 : PHOTO COPY OF THE GUIDELINES ISSUED BY THE TRANSPORT
COMMISSIONER, THIRUVANANTHAPURAM VIDE
NO.D3/875/STA/2011 DATED 4.11.2011
- EXHIBIT P4 : PHOTO COPY OF THE PROCEEDINGS OF THE FIRST
RESPONDENT VIDE ORDER NO.C6/(D3)/1197/2013/M DATED
24.2.2014
- EXHIBIT P5 : PHOTO COPY OF THE OBJECTION SUBMITTED BY THE
PETITIONER BEFORE THE FIRST RESPONDENT ON 19.9.2015
- EXHIBIT P6 : PHOTO COPY OF THE JUDGMENT IN W.P.(C) NO.10185/2014 W
DATED 13.10.2014
- EXHIBIT P7 : PHOTO COPY OF THE JUDGMENT IN W.P.(C) NO.18771/2015 V
DATED 3.7.2015.

RESPONDENT(S) EXHIBITS

NIL.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) No.30022 of 2015

Dated this the 5th day of October, 2015

J U D G M E N T

Ext.P4 order fixing the timings to operate service inter alia states as follows:-

“The above revised timings will come into force with effect from 15/12/2013 and objections if any against the timings can be filed by the concerned to the under-signed within a period of three months.”

The petitioner did not file the objection in time and has filed Ext.P5 objection belatedly.

2. It is the case of the petitioner that Ext.P4 order fixing the timings militates against Ext.P2 Circular and Ext.P3 guidelines. The same will be taken note of while considering Ext.P5 objection pending with the first respondent.

3. I direct the first respondent to consider Ext.P5 objection with notice to the petitioner and other operators on the route. The same shall be done within a period of three weeks from the date of receipt of a copy of this judgment.

The Writ Petition is disposed of.

Sd/-
V.CHITAMBARESH,
Judge.