

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

WEDNESDAY, THE 14TH DAY OF OCTOBER 2015/22ND ASWINA, 1937

WP(C).No. 30198 of 2015 (Y)

PETITIONER:

M.J. SHIBU, S/O. JOHN,
MANAKUZHAY HOUSE,
P.O. KANNARA, THRISSUR.

BY ADV. SRI. I. DINESH MENON

RESPONDENT:

1. THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
THRISSUR 680 002.
- ADDL. 2. P.J. REJI, PUTTANIYIL HOUSE,
MANNAMANGALAM P.O. 680 014.
- ADDL. 3. M.D. MURALI, MOMKUZHAY HOUSE,
MARATHANKKARA 680 028.
- ADDL. 4. RAMACHANDRAN, PUNCHADATH HOUSE,
P.O. VETTUKAD 680 126.
- ADDL. 5. C.V. RAJAN, CHARALIYIL HOUSE,
MAROTTICHAL P.O. 680 022
- ADDL. 6. M.K. DAMODARAN, MANKUZHAY HOUSE,
P.O. MARATHAKARA 680 028.

ADDITIONAL R2 TO R6 ARE IMPEADED AS PER ORDER IN IA NO. 14876/2015
DATED 14.10.2015.

ADDL. R2 - R6 BY ADV. SRI. K. V. GOPINATHAN NAIR
BY GOVERNMENT PLEADER SMT. K.A. SANJEETHA

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 14-10-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1 :- TRUE COPY OF THE PROCEEDINGS DTD 2/6/2008
- EXHIBIT P2 :- TRUE COPY OF THE PROCEEDINGS DTD 25/11/2008
- EXHIBIT P3 :- TRUE COPY OF THE JUDGMENT IN WPC NO 26086/2008 DTD 29/8/2008
- EXHIBIT P4 :- TRUE COPY OF THE JUDGMENT IN WPC NO 11941/2009 DTD 4/4/2012
- EXHIBIT P5 :- TRUE COPY OF THE JUDGMENT IN WA NO 661/2013 DTD 28/7/2015
- EXHIBIT P6 :- TRUE COPY OF THE REQUEST DTD 31/8/2015
- EXHIBIT P7 :- TRUE COPY OF THE REQUEST DTD 29/9/2015

RESPONDENT(S)' EXHIBITS

- EXHIBIT R2(a) : TRUE COPY OF THE OBJECTION FILED BY THE ADDITIONAL RESPONDENTS BEFORE THE SECRETARY, RTA, THRISSUR DATED 03.10.2015.

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

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Dated this the 14th day of October, 2015

JUDGMENT

The regular permit was granted to the petitioner as early as on 02.06.2008. The regular permit has not hitherto been issued to the petitioner. This was due to the on going litigation between the parties. The litigation ended only by Ext.P5 judgment dated 28.07.2015 in W.A. No. 661/2013.

2. All that remains is the issue of granted permit after settlement of timings. The timings can ofcourse be settled with notice to all the operators on the route. The same shall be done within a period of one month from the date of receipt of a copy of this judgment. I also take note of the fact that the petitioner had already produced the current records of the vehicle in time.

3. Additional respondents 2 to 6 have a contention that the operation of service on the basis of permit to be issued violates the scheme dated 14.07.2009. That is a matter to be independently taken up by the additional respondents in

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appropriate proceedings. That issue does not arise for consideration in this writ petition which is limited to the issue of granted permit.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**

ncd