

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

FRIDAY, THE 16TH DAY OF OCTOBER 2015/24TH ASWINA, 1937

WP(C).No. 31567 of 2015 (U)

PETITIONER(S):

1. N.K.KASIM, S/O.ABDU RAHIMAN
NADUVILAKALATHIL HOUSE, PATHARIYAL, MANJERI
(REGISTERED OWNER OF STAGE CARRIAGE KL-10/Z 9459)
2. K.P.HAMSA, KONDOTTYPARAMBAT KOLATH HOUSE
VALLUVAMPURAM
(REGISTERED OWNER OF STAGE CARRIAGE KL-10/Z 8626)
3. O.V.MANU KARUKKAL, ANEESH MAHAL,
P.O.KOLAPARAMBA
(REGISTERED OWNER OF STAGE CARRIAGE KL-10/Z 8400)
4. V.P.ABOOBACKER SIDDIQUE, CHOLAYIL HOUSE,
CHENGARA
(REGISTERED OWNER OF STAGE CARRIAGE KL-10/Q 1992)
5. FAIZAL BABU, MADATHIL HOUSE,
VANIYAMBALAM
(REGISTERED OWNER OF STAGE CARRIAGE KL-10/Y 5286)
6. MOHAMMED MUSTHAFA KURUKKAL, KURUKKALS VILLA
EAST PANDIKKAD
(REGISTERED OWNER OF STAGE CARRIAGE KL-10/AN 9798)
7. ABDUL SALAM, KOLLAPARAMBAN HOUSE
KARAKUNNU P.O., MANJERI
(REGISTERED OWNER OF STAGE CARRIAGE KL-09/AD 5566)
8. K.V.ABDU RAHIMAN, KUDAVANDY HOUSE
POST MANJERI COLLEGE
(REGISTERED OWNER OF STAGE CARRIAGE KL-07/AH 4074)
9. ABDUL AZEEZ, MUZHIKKAL POTTAMMAL HOUSE
22ND MILE, MUTTIPALAM, MANJERI
(REGISTERED OWNER OF STAGE CARRIAGE KL-10/Q 9568)

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10. MOHAMMED ALI P.P. PUTHENPEEDIKA HOUSE
PULPATTA, MANJERI
(REGISTERED OWNER OF STAGE CARRIAGE KL-10/Z 9497)
11. V.M.SAINUDEEN, VILAKKUMADATHIL HOUSE
MOIDU MANZIL, N.S.S.COLLEGE P.O., MANJERI
(REGISTERED OWNER OF STAGE CARRIAGE KL-10/N 6837)
12. IBRAHIM, 2/283, POTTANAMCHALI HOUSE
PULPETTA, MANJERI
(REGISTERED OWNER OF STAGE CARRIAGES KL-10/R 1112 AND
KL-04/N 9167)
13. ANVAR HUSSAIN, ARAYILAKATH HOUSE
EDAVANNA P.O., MANJERI
(REGISTERED OWNER OF STAGE CARRIAGE KL-02/V 1116)

BY ADV. SRI.K.V.GOPINATHAN NAIR

RESPONDENT(S):

1. THE REGIONAL TRANSPORT AUTHORITY
MALAPPURAM REPRESENTED BY ITS SECRETARY, PIN - 676 505.
2. THE TRAFFIC REGULATORY COMMITTEE
REPRESENTED BY THE CHAIRMAN, MANJERI MUNICIPALITY
MANJERI, PIN 676 121.
3. THE CIRCLE INSPECTOR OF POLICE
MANJERI, PIN - 676 121.

R BY GOVERNMENT PLEADER SMT.K.A.SANJEETHA.
R BY SRI.K.SHIBILI NAHA, SC, MANJERI MUNICIPALITY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
16-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN W.P.(C) No.31567 OF 2015

PETITIONER(S) EXHIBITS

- EXHIBIT P1 : TRUE COPY OF THE ROUGH SKETCH REGARDING THE TRAFFIC SYSTEM IN MANJERI TOWN.
- EXHIBIT P2 : TRUE COPY OF THE SUGGESTION GIVEN BY THE SECOND RESPONDENT ON 11.2.2013
- EXHIBIT P3 : TRUE COPY OF THE PROPOSAL SAID TO HAVE BEEN TAKEN BY THE SECOND RESPONDENT ON 1.10.2015 WHICH IS HANDED OVER BY THE THIRD RESPONDENT.
- EXHIBIT P4 : TRUE COPY OF THE AGENDA REGARDING CONSIDERATION OF TRAFFIC ARRANGEMENT IN PERINTHALMANNA BY THE FIRST RESPONDENT ON 29.5.2015.
- EXHIBIT P5 : TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE ALL KERALA BUS OPERATORS ORGANISATION, MALAPPURAM DISTRICT COMMITTEE, MANJERI BEFORE THE THIRD RESPONDENT DATED 1.10.2015
- EXHIBIT P6 : TRUE COPY OF THE PROCEEDINGS OF THE FIRST RESPONDENT DATED 28.5.2014.
- EXHIBIT P7 : TRUE COPY OF THE STUDY REPORT OBTAINED UNDER THE RIGHT TO INFORMATION ACT BEFORE THE FIRST RESPONDENT ON 13.10.2015.

RESPONDENT(S) EXHIBITS

NIL.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) No.31567 of 2015

Dated this the 16th day of October, 2015

J U D G M E N T

Ext.P3 proposal made by the Traffic Regulatory Committee deals with the diversion of stage carriage service within the limits of Manjeri Municipality. The petitioners may not be able to adhere to the same till the Regional Transport Authority given its nod. Appropriate changes may have also to be made in the route permit as well as to the time schedule.

2. Let the Regional Transport Authority delve deep into the matter and take a decision within two months. The operators who are affected shall be put on notice and heard. Ext.P3 proposal in so far as it relates to the petitioners shall be implemented thereafter only. Whether Ext.P3 proposal can be accepted in toto or not is left open to be decided by the Regional Transport Authority.

The writ Petition is disposed of.

Sd/-
V.CHITAMBARESH,
Judge.

nj/16.10.15