

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

WEDNESDAY, THE 4TH DAY OF NOVEMBER 2015/13TH KARTHIKA, 1937

WP(C).No. 33027 of 2015 (C)

PETITIONERS:

- 1. PALAZHI PRIVATE BUS OPERATORS ORGANIZATION,
A UNIT UNDER THE REGISTERED BUS OPERATORS ORGANIZATION
PALAKKAD, PALAZHI, KOZHIKODE DISTRICT
REPRESENTED BY ITS SECRETARY, M.ABDUL NAZAR.**
- 2. SMT.C.K.ZAREENA,
D/O.C.P.AHAMMED, ARAFA MANZIL, PO G.A.COLLEGE
KOZHIKODE.**

BY ADV. SRI.G.PRABHAKARAN

RESPONDENTS:

- 1. THE REGIONAL TRANSPORT AUTHORITY,
KOZHIKODE,
REPRESENTED BY ITS SECRETARY-673020.**
- 2. THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY CUM
REGIONAL TRANSPORT OFFICER
KOZHIKODE-673020.**
- 3. THE REGIONAL TRANSPORT AUTHORITY,
MALAPPURAM,
REPRESENTED BY ITS SECRETARY-675505.**

BY SR. GOVERNMENT PLEADER SMT. SANJEETHA K.A

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
04-11-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

WP(C).No. 33027 of 2015 (C)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1 THE TRUE COPY OF THE JUDGMENT DATED 1.2.2002 IN O.P.1026/2002**
- P2 TRUE COPY OF THE DECISION OF THE RTA KOZHIKODE WITHITS
 NO.G1/883/02D IN ITEM NO.82 DATED**
- P3 TRUE COPY OF THE REQUEST SUBMITTED BY THE PETITIONER
 BEFORE THE 1ST RESPONDENT DATED 09.1.2015**
- P4 TRUE COPY OF THE REQUEST SUBMITTED BY THE PETITIONER
 BEFORE THE 3RD RESPONDENT DATED 10.10.2015**

RESPONDENT(S)' EXHIBITS:- NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 33027 OF 2015

Dated this the 04th day of November, 2015

JUDGMENT

The Motor Vehicles Act cast a duty on the Regional Transport Authority either to grant or refuse a stage carriage permit. Ofcourse the number of stage carriages can be limited according to Section 71(3)(a) of the Motor Vehicles Act, 1988. Ext. P2 proceedings relied on by the petitioners were issued 13 years ago. The same cannot be the basis for considering whether fresh permits have to be granted or not.

2. The first respondent shall bear this in mind while considering Ext. P3 representation. The same shall be done with notice to the petitioners within a period of two months.

The writ petition is disposed of.

**V. CHITAMBARESH
JUDGE**

DCS