

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

WEDNESDAY, THE 7TH DAY OF JANUARY 2015/17TH POUSHA, 1936

WP(C).No. 33687 of 2014 (I)

PETITIONER(S):

1. **BABU P.M., AGED 38 YEARS,
S/O.MANI P.A., PERUMBAL HOUSE,
KANNANKULANGARA, TRICHUR.**
2. **SUNILKUMAR. N.S., AGED 42 YEARS,
S/O.SHANKU N.K, NELLATH HOUSE, CHIYYARAM P.O.,
CHIYYARAM VILLAGE, TRICHUR DISTRICT - 680 026.**
3. **SUGUNAN V.K., AGED 53 YEARS,
S/O.KRISHNAN NAIR, VELUKATHARATH HOUSE,
KURIYACHIRA P.O., TRICHUR - 680 006.**
4. **SHIVAN, AGED 53 YEARS,
S/O.KRISHNANKUTTY, MEKKADAN HOUSE,
CHIYYARAM P.O., CHIYYARAM VILLAGE,
TRICHUR DISTRICT - 680 026.**
5. **SHAJAN, AGED 46 YEARS,
S/O.JOHN, 13/470, PALIYAKKARA HOUSE,
KOORKANCHERY, TRICHUR.**
6. **AJAYAN, AGED 46 YEARS,
S/O.NARAYANAN, KOZHIPARAMBIL HOUSE,
SOUTH ANCHERY P.O., CHIYYARAM VILLAGE,
TRICHUR DISTRICT - 680 026.**
7. **RAVINDRANATH, AGED 46 YEARS,
S/O.PARAMESHWARAN, 13/320, MANKUZHI HOUSE,
CHIYYARAM P.O., CHIYYARAM VILLAGE,
TRICHUR DISTRICT- 680 026.**
8. **VINESH K.V., AGED 33 YEARS,
S/O.VALSALAN, 13/433, KOZHIPARAMBIL HOUSE,
CHIYYARAM P.O., CHIYYARAM VILLAGE,
TRICHUR DISTRICT - 680 026.**
9. **SUJITH T.S., AGED 33 YEARS,
S/O.SUKUMARAN, THALADAN HOUSE,
CHIYYARAM P.O., CHIYYARAM VILLAGE,
TRICHUR DISTRICT - 680 026.**

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**10. SAJEESH M.R., AGED 35 YEARS,
S/O.RAJAN, MANKUZHI HOUSE, CHIYYARAM P.O.,
CHIYYARAM VILLAGE, TRICHUR DISTRICT - 680 026.**

**BY ADVS.SRI.VINAY RAMDAS,
SRI.P.K.HASSANKUTTY.**

RESPONDENT(S):

**THE REGIONAL TRANSPORT OFFICER,
THRISSUR, REGIONAL TRANSPORT AUTHORITY,
AYYANTHOLE, TRICHUR-680 003.**

BY SR. GOVT. PLEADER SRI.BIJU MEENATTOOR.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 07-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- EXHIBIT P1: CONTRACT CARRIAGE PERMIT GRANTED TO THE 1ST PETITIONER HEREIN.
- EXHIBIT P2: CONTRACT CARRIAGE PERMIT GRANTED TO THE 2ND PETITIONER HEREIN.
- EXHIBIT P3: CONTRACT CARRIAGE PERMIT GRANTED TO THE 3RD PETITIONER HEREIN.
- EXHIBIT P4: CONTRACT CARRIAGE PERMIT GRANTED TO THE 4TH PETITIONER HEREIN.
- EXHIBIT P5: CONTRACT CARRIAGE PERMIT GRANTED TO THE 5TH PETITIONER HEREIN.
- EXHIBIT P6: CONTRACT CARRIAGE PERMIT GRANTED TO THE 6TH PETITIONER HEREIN.
- EXHIBIT P7: CONTRACT CARRIAGE PERMIT GRANTED TO THE 7TH PETITIONER HEREIN.
- EXHIBIT P8: CONTRACT CARRIAGE PERMIT GRANTED TO THE 8TH PETITIONER HEREIN.
- EXHIBIT P9: CONTRACT CARRIAGE PERMIT GRANTED TO THE 9TH PETITIONER HEREIN.
- EXHIBIT P10: CONTRACT CARRIAGE PERMIT GRANTED TO THE 10TH PETITIONER HEREIN.
- EXHIBIT P11: APPLICATION FOR VARIATION OF CONDITION SUBMITTED BY THE 1ST PETITIONER WITH REGARD TO HIS VEHICLE.
- EXHIBIT P12: APPLICATION FOR VARIATION OF CONDITION SUBMITTED BY THE 2ND PETITIONER WITH REGARD TO HIS VEHICLE.
- EXHIBIT P13: APPLICATION FOR VARIATION OF CONDITION SUBMITTED BY THE 3RD PETITIONER WITH REGARD TO HIS VEHICLE.
- EXHIBIT P14: APPLICATION FOR VARIATION OF CONDITION SUBMITTED BY THE 4TH PETITIONER WITH REGARD TO HIS VEHICLE.
- EXHIBIT P15: APPLICATION FOR VARIATION OF CONDITION SUBMITTED BY THE 5TH PETITIONER WITH REGARD TO HIS VEHICLE.

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- EXHIBIT P16: APPLICATION FOR VARIATION OF CONDITION SUBMITTED BY THE 6TH PETITIONER WITH REGARD TO HIS VEHICLE.**
- EXHIBIT P17: APPLICATION FOR VARIATION OF CONDITION SUBMITTED BY THE 7TH PETITIONER WITH REGARD TO HIS VEHICLE.**
- EXHIBIT P18: APPLICATION FOR VARIATION OF CONDITION SUBMITTED BY THE 8TH PETITIONER WITH REGARD TO HIS VEHICLE.**
- EXHIBIT P19: APPLICATION FOR VARIATION OF CONDITION SUBMITTED BY THE 9TH PETITIONER WITH REGARD TO HIS VEHICLE.**
- EXHIBIT P20: APPLICATION FOR VARIATION OF CONDITION SUBMITTED BY THE 10TH PETITIONER WITH REGARD TO HIS VEHICLE.**
- EXHIBIT P21: A TRUE COPY OF THE JUDGMENT WP(C).NO. 13912 OF 2013 BY THIS HONOURABLE COURT IN A SIMILAR MATTER.**

RESPONDENT'S EXHIBITS:-

NIL.

//TRUE COPY//

P.A TO JUDGE

rs.

K. VINOD CHANDRAN, J.
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W.P.(C) No.33687 of 2014 - I
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Dated this the 7th day of January, 2015

J U D G M E N T

The petitioners are contract carriage permit holders plying their autorikshaws in the Thrissur District. They sought for variation of permits. The grievance of the petitioners are that the said applications are not yet considered by the respondents.

2. This Court has in **Rajesh v. Secretary, Regional Transport Authority [2014(3) KLT 341]** and connected reported decisions, held that such general orders cannot be passed by the RTA and each application has to be considered individually and a reasoned order passed under Section 80(2) of The Motor Vehicles Act, 1988. In such circumstances, the applications filed by the petitioners shall be considered by the respondents within a period of two months from the date of receipt of a copy of this judgment.

Writ petition disposed of.

Sd/-
K. VINOD CHANDRAN,
JUDGE

SB

// true copy //

P.A To Judge.