

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

MONDAY, THE 19TH DAY OF JANUARY 2015/29TH POUSHA, 1936

WP(C).No. 34274 of 2014 (H)

PETITIONER(S):

**P.K.MOIDU AGED 63 YEARS
S/O.SOOPY, PEEDIKAKANDY HOUSE, PO PELERI
KADIYANGAD, PERAMBRA, CALICUT**

BY ADV. SRI.G.PRABHAKARAN

RESPONDENT(S):

- 1. REGIONAL TRANSPORT AUTHORITY
VATAKARA, REPRESENTED BY ITS SECRETARY 673 101.**
- 2. THE SECRETARY
REGIONAL TRANSPORT AUTHORITY , VATAKARA 673 101**

BY GOVERNMENT PLEADER SRI.R. RANJITH

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
19-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1 COPY OF THE REGULAR PERMIT WITH ITS NO.C3/42/2001 DB**
- EXHIBIT P2 COPY OF THE RENEWAL OF PERMIT APPLICATION DATED 31/10/2009**
- EXHIBIT P3 COPY OF THE COVERING LETTER SUBMITTED BY THE PETITIONER
DATED 10/12/2014**

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A. TO JUDGE

JJJ

K. VINOD CHANDRAN, J.

W.P.(C) No. 34274 of 2014

Dated this the 19th day of January, 2015

J U D G M E N T

The petitioner seeks renewal of permit in the route Pasukkadavu - Mullankunnu - Kozhikode, issued with respect to a vehicle having registration no.KL-11/H 5220.

2. The mandamus sought for is for consideration of Ext.P2 application which is said to have been filed in 2009. Primarily, it is to be noticed that at this stage this Court cannot issue a mandamus to consider the said application, especially since, even according to the petitioner, the application is said to be missing from the files of the Regional Transport Authority. It is also to be noticed that the petitioner does not even produce the receipt of the fee paid and merely makes an averment that the fee receipt is available in the computer. There is nothing to evidence the application having been filed in the date indicated thereon.

3. The learned Government Pleader submits that the regular permit, even as per the Writ Petition averments, was valid up to 8.7.2010 and in such circumstance there is no requirement for making an application, almost one year prior to that. It is also submitted that there is no such proper application made nor was the fee paid with respect to the renewal. The vehicle which was endorsed in the permit is said to have completed 15 years and no fitness certificate has been obtained subsequently.

For all the above reasons, the Writ Petition would stand dismissed. No costs.

Sd/-
K.VINOD CHANDRAN,
JUDGE

jjj