

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

TUESDAY, THE 13TH DAY OF JANUARY 2015/23RD POUSHA, 1936

WP(C).No. 34834 of 2014 (D)

PETITIONER(S):

RATHEESH KUMAR,
KOCHU PARAMBIL, AROOR P.O., CHERTHALA
PIN-688534.

BY ADVS.SRI.P.SANTHOSH KUMAR (TR)
SRI.T.P.SAJAN

RESPONDENT(S):

1. THE SECRETARY, REGIONAL TRANSPORT AUTHORITY, KOTTAYAM
REGIONAL TRANSPORT AUTHORITY, KOTTAYAM, PIN-686002.
2. THE REGIONAL TRANSPORT AUTHORITY,
KOTTAYAM, REPRESENTED BY ITS SECRETARY, KOTTAYAM
PIN-686002.

ADDL.R3 AND R4

3. K.P.MAHESH, MAHESH MANDIRAM,
MARIYATHURUTHU, KOTTAYAM

4. HAFEEZ MUHAMMED, MANIYAMKULAM,
PUZHAVAD, CHANGZANASSERY
(Impleaded as per order dated 13.1.2015 in I.A.13/2015)

ADD. R5 AND R6

5. T.C.THOMAS, S/O K.C.CHANDY,
THAKADIYEL PARAMBIL HOUSE,
CHANNANIKKADU P.O., KOTTAYAM

6. SHEEJA THOMAS, W/O T.C.THOMAS,
THAKADIYEL PARAMBIL HOUSE,
CHANNANIKKADU P.O., KOTTAYAM
(Impleaded as per order dated 13.1.2015 in I.A.205/2015)

BY ADV. SRI.STALIN PETER DAVIS
ADDL BY ADV. SRI.SAJU J.VALLYARA
BY GOVERNMENT PLEADER SRI.R. RANJITH

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 13-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

APPENDIX

EXHIBITS

P1: TRUE COPY OF THE APPLICATION FOR TEMPORARY PERMIT DATED 28.10.2014.

P2: TRUE COPY OF CHELLAN RECEIPT DATED 28.10.2014.

P3: TRUE COPY OF THE COVERING LETTER DATED 28.10.2014 ACCOMPANYING THE APPLICATION.

R3(a)- PHOTOCOPY OF THE APPLICATION FOR 4 MONTHS TEMPORARY PERMIT SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT ON 01.10.2014

R3(b)- PHOTOCOPY OF THE MEMO VIDE NO. G1/116566/2014K DATED 16.10.2014 ISSUED BY R1

R3(c)- PHOTOCOPY OF THE APPLICATION FOR REGULAR PERMIT SUBMITTED BY THE PETITIONER BEFORE R1 ON 11.11.2014

R3(d)- PHOTOCOPY OF THE APPLICATION FOR 4 MONTHS TEMPORARY PERMIT SUBMITTED BY THE PETITIONER BEFORE R1 ON 11.11.2014

R3(e)- PHOTOCOPY OF THE PROCEEDINGS OF R1 VIDE ORDER NO.C2/3592/2013K DATED 25.10.2013

//True Copy//

P.A. To Judge

K.VINOD CHANDRAN, J

W.P.(C).No. 34834 of 2014

Dated 13th January, 2015

JUDGMENT

The petitioner has filed the above writ petition seeking consideration of Ext.P1 application for temporary permit on the route Cherthala-Kottayam. The additional respondents 3 and 4, impleaded pursuant to order in I.A.13 of 2015, contend that the additional 3rd respondent was operating on the route Cherthala-Kottayam with a vehicle bearing registration No.KL 35 - 3802 and now the renewal application is pending for want of No Objection Certificate. The additional 4th respondent's renewal application on the same route, is also said to be under consideration before the State Transport Appellate Tribunal (STAT). The said additional respondents apprehend that their timings would be allotted to the petitioner herein. The additional respondents 5 & 6 again have the very

same contention as to the pendency of temporary permit application evidenced at Ext.R3(a) and a granted and issued permit exhibited at Ext.R3 (e).

2. In any event, the learned Government Pleader submits that the application, Ext.P1, was considered and rejected by order dated 04.12.2014 and the same has been despatched on 20.12.2014. In such circumstances, the petitioner's remedy is to challenge the said order, which is left open and the contention of all the parties are left open to be agitated in the said proceeding, if initiated.

Writ petition closed.

Sd/-

K.VINOD CHANDRAN
Judge

Mrcs

//True Copy//