

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE MR.JUSTICE THOTTATHIL B.RADHAKRISHNAN
&
THE HONOURABLE MR.JUSTICE K.HARILAL**

THURSDAY, THE 19TH DAY OF FEBRUARY 2015/30TH MAGHA, 1936

WP(C).No. 34971 of 2014 (S)

PETITIONER(S):

**THAMPI SUBRAMANIAN, AGED 33 YEARS,
S/O.SUBRAMANIAN, 18/1172, ESI ROAD,
PALLURUTHY, KOCHIN-682 006.**

**BY ADVS.SRI.A.G.BASIL
SRI.P.K.SEBASTIAN**

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY SECRETARY TO TRANSPORT (B) DEPARTMENT,
GOVERNMENT OF KERALA, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695 001.**
- 2. THE KERALA STATE PRIVATE BUS OPERATORS FEDERATION,
REPRESENTED BY ITS GENERAL SECRETARY,
ASSOCIATION BUILDINGS, PALARIVATTOM,
PALARIVATTOM JUNCTION, KOCHI-682 025.**
- 3. KERALA STATE ROAD TRANSPORT CORPORATION (KSRTC),
TRANSPORT BHAVAN, THIRUVANANTHAPURAM, PIN 695 004.
REPRESENTED BY ITS MANAGING DIRECTOR.**
- 4. INDIAN OIL CORPORATION,
REPRESENTED BY ITS REGIONAL MANAGER, IRUMBANAM,
THRIPUNITHURA, KOCHI.**
- 5. UNION OF INDIA,
REPRESENTED BY SECRETARY,
MINISTRY OF OIL AND NATURAL GAS,
GOVERNMENT OF INDIA, NEW DELHI-110 001.**

R5 BY ADV. SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL

R2 BY ADV. SRI.A.C.DEVASIA

R4 BY SRI.M.GOPIKRISHNAN NAMBIAR

R1 BY SRI.T.RAMAPRASAD UNNI, GOVERNMENT PLEADER

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
19-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

DG

APPENDIX

PETITIONER(S)' EXHIBITS:

- EXHIBIT-P1:** TRUE COPY OF THE GOVERNMENT ORDER GO(P)
NO.38/2014/TRANS. DATED 19.05.2014 INCREASING THE BUS
FARE.
- EXHIBIT-P2:** TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE
PETITIONER ON 05.12.2014 BEFORE THE 1ST RESPONDENT.
- EXHIBIT-P2(a):**ENGLISH TRANSLATION OF EXT.P2.
- EXHIBIT-P3:** TRUE COPY OF A CHART SHOWING THE DIESEL PRICE FROM
THE MONTH OF AUGUST 2012 TO 01.12.2014 IN MAJOR CITIES
IN INDIA, OBTAINED FROM THE WEBSITE OF INDIAN OIL
CORPORATION.
- EXHIBIT-P4:** TRUE COPY OF TICKET SHOWING MINIMUM CHARGE OF RS.7/-
AND THE NEXT CHARGE OF RS.9/- ISSUED BY THE PRIVATE
BUS OPERATORS IN KOCHI CITY.
- EXHIBIT-P5:** TRUE COPY OF THE FARE STAGE OF BUSES RUN BY THE
DELHI TRANSPORT CORPORATION, OBTAINED FROM THE
WEBSITE OF DTC, DELHI DATED 16.12.2014.
- EXHIBIT-P6:** TRUE COPY OF THE BUS FARES TAMIL NADU OF TAMIL NADU
STATE TRANSPORT, OBTAINED FROM THE WEBSITE OF TAMIL
NADU STATE TRANSPORT CORPORATION ON 16.12.2014.
- EXHIBIT-P7:** TRUE COPY OF THE JUDGMENT OF A DIVISION BENCH THIS
HON'BLE COURT REPORTED IN (2007) KHC 5811 IN CENTRE
FOR CONSUMER EDUCATION V.STATE OF KERALA.
- EXHIBIT-P8:** TRUE COPY OF A PAPER REPORT APPEARED IN
MATHRUBHUMI DAILY DATED 20.05.2014.
- EXHIBIT-P8(A):** ENGLISH TRANSLATION EXT.P8.
- EXHIBIT-P9:** TRUE COPY OF THE A PAPER REPORT APPEARED IN INDIAN
EXPRESS DAILY ON 16/12/2014 WITH REGARD TO THE
REDUCTION OF DIESEL PRICE BY RS.2/- PER LITRE FROM
15.12.2014.

RESPONDENT(S)' EXHIBITS - NIL

//TRUE COPY//

P.A TO JUDGE

DG

**THOTTATHIL B.RADHAKRISHNAN &
K.HARILAL, JJ.**

W.P.(C).No.34971 of 2014

Dated this the 19th day of February, 2015

J U D G M E N T

Thottathil B.Radhakrishnan, J.

The petitioner says that this is a public interest litigation carrying the prayer for a direction to reduce the bus fare in ordinary buses in Kerala at par with the reduction of fuel price effected by the Government of India. As rightly pointed out today, the issue in hand is not one which is away from the requisite gaze of the executive. We are told that a Commission is appointed in relation to fixation of bus fare and the said Commission will be addressing this issue as well, if not already addressed. While the petitioner will be at liberty to request for an opportunity of hearing by the said Commission, we do not think that any further orders are called for in this writ petition. Hence, this writ petition is closed without prejudice.

Sd/-
(THOTTATHIL B.RADHAKRISHNAN, JUDGE)

Sd/-
(K.HARILAL, JUDGE)

//TRUE COPY//

P.A TO JUDGE

DG