

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

TUESDAY, THE 15TH DAY OF SEPTEMBER 2015/24TH BHADRA, 1937

WP(C).No. 35168 of 2014 (U)

PETITIONER:

**ANTONY.M.D,
116, MATTAPPALLIL HOUSE, 8
T.V.PURAM.P.O,
VAIKOM,
KOTTAYAM DISTRICT.**

BY ADV. SRI.O.D.SIVADAS

RESPONDENTS:

- 1. THE REGIONAL TRANSPORT AUTHORITY,
KOTTAYAM,
REPRESENTED BY ITS SECRETARY.**
- 2. THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
KOTTAYAM.**
- 3. SUNNY ABRAHAM,
THOTTICHIRA,
PRIYADARSINI,
VAIKOM
KOTTAYAM DISTRICT.**

**R1 & R2 BY SR. GOVERNMENT PLEADER SMT. ANITHA RAVINDRAN
R3 BY ADV.SRI.I.DINESH MENON**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
15-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

DCS

WP(C).No. 35168 of 2014 (U)

APPENDIX

PETITIONER(S)' EXHIBITS

- | | |
|---------------|--|
| EXT.P1 | TRUE COPY OF THE PERMIT OF THE PETITIONER |
| EXT.P2 | TRUE COPY OF THE RELEVANT PORTION OF THE AGENDA OF THE RTA MEETING |
| EXT.P3 | TRUE COPY OF THE DECISION OF THE 1ST RESPONDENT DATED 6/11/2014 |
| EXT.P4 | TRUE COPY OF THE REQUEST SUBMITTED BY THE PETITIONER TO THE 2ND RESPONDENT DATED 15/12/2014 |
| EXT.P5 | TRUE COPY OF THE NOTICE OF TIMING CONFERENCE ISSUED BY THE 2ND RESPONDENT. |

RESPONDENT(S)' EXHIBITS:- NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 35168 OF 2014

Dated this the 15th day of September, 2015

JUDGMENT

Ext. P3 order allowing variation of a regular permit is impugned. Ext. P3 order is very much revisable under Section 90 of the Motor Vehicles Act, 1988. Moreover many factual and legal issues crop up for consideration alien to the writ jurisdiction.

2. Any revision filed against Ext. P3 order within three weeks from today shall be dealt with within a period of three months. The interim order already in vogue in this writ petition shall continue to operate for one month. The petitioner is free to apply for appropriate interim orders in the revision petition.

3. The revision petition if any filed by the petitioner within the time granted as above will not be rejected as time barred. This is particularly so since the third respondent has no

objection to this course.

4. Ext. P3 decision shall be followed up by the timing conference in case no revision is filed therefrom within the time permitted.

The writ petition is disposed of.

**V. CHITAMBARESH
JUDGE**

DCS