

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.HARILAL

MONDAY, THE 7TH DAY OF DECEMBER 2015/16TH AGRAHAYANA, 1937

WP(C).No. 36728 of 2015 (M)

PETITIONER :

**RADHAKRISHNAN M.R.,
MURIKKAPARAMBIL HOUSE,
AYYAMPILLY, NORTH PAUR, ERNAKULAM.**

BY ADV. SRI.G.PRABHAKARAN

RESPONDENT(S):

- 1. THE REGIONAL TRANSPORT AUTHORITY,
ERNAKULAM, REPRESENTED BY ITS SECRETARY-682 030.**
- 2. THE SECRETARY, REGIONAL TRANSPORT AUTHORITY,
ERNAKULAM-682 030**
- 3. ANILKUMAR.T.S., THEKKUMTHALA HOUSE,
MANAPPILLY, AYYAMPILLY.P.O., ERNAKULAM-682 501**

R1 & R2 BY SR GOVERNMENT PLEADER SMT. K.A.SANJEETHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 07-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).NO.36728/2015

APPENDIX

PETITIONER'S EXHIBITS:

- P1 COPY OF THE TIMING ISSUED BY THE PETITIONER'S SERVICE ON THE ROUTE MALIANKARA- ERNAKULAM HIGH COURT JN. WITH KL-7/AW 4668.**
- P2 COPY OF THE AGENDA ITEM HELD ON 17/8/2015 IN ITEM NO.8 WITHITS NO.G/120431/2015/E.**
- P3 COPY OF THE PROCEEDINGS OF THE RTA ERNAKULAM IN ITEM NO.8 HELD ON 17/8/2015**
- P4 COPY OF THE AGENDA OF ITEM NO.5 DATED 8/12/2015.**
- P5 COPY OF THE OBJECTION FILED BY THE PETITIONER BEFORE THE 1ST RESPONDENT DATED 18/11/2015**
- P6 COPY OF THE JUDGMENT DATED 24/4/2015 IN WPC.NO.12882/2015.**

RESPONDENT'S EXHIBITS: NIL

/TRUE COPY/

P.A.TO JUDGE

sts

K. HARILAL, J.

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W.P. (C) No.36728 of 2015

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Dated this the 7th day of December, 2015

J U D G M E N T

The petitioner is a regular stage carriage permit holder, operating on the route Maliankara - Ernakulam High Court Junction with the stage carriage bearing No. KL 7/A W 4668. The 3rd respondent applied for grant of one stage carriage permit on the route Ernakulam High Court Junction -North Paravur - Vypin - Kalamassery Premier Junction and it was placed in the Regional Transport Authority meeting, as item No. 8 on the meeting held on 17.08.2015, even though, the said meeting was adjourned. Now, the said meeting is proposed to be held on 08.12.2015 and the matter stands again placed in that meeting, as item No. 5. Aggrieved by the proposed grant of permit to the 3rd respondent, the petitioner preferred Ext.P5 objection

-: 2 :-

before the respondent. According to the petitioner, if the permit is granted, without considering Ext.P5 objection, the same will adversely affect the interest of the petitioner. This is the grievance projected in this Writ Petition.

2. Learned Government Pleader on instruction submits that the grant of permit alone will be considered in the meeting scheduled to be held on 08.12.2015 and objection against the proposed timings will be considered only, after the issuance of permit, to the 3rd respondent. Therefore, the objection against the timings cannot be considered at this stage.

3. Going by Ext.P5, it is seen that though, the petitioner has raised serious objection in paragraph 3 of the objection against the timings proposed by the 3rd respondent, he has raised objection against the granting of permit also in the 4th paragraph of Ext.P5. Therefore,

-: 3 :-

the respondent is directed to consider the objection raised in the 4th paragraph of Ext.P5, in the meeting, which is scheduled to be held on 08.12.2015, to consider the application for permit submitted by the 3rd respondent.

This Writ Petition is disposed of accordingly.

Sd/-

**K. HARILAL,
JUDGE**

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//True copy//

P.A. To Judge