

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.HARILAL

FRIDAY, THE 4TH DAY OF DECEMBER 2015/13TH AGRAHAYANA, 1937

WP(C).No. 36831 of 2015 (D)

PETITIONER(S):

- 1. PRASANNAN, S/O.VAMADEVAN,
RESIDING AT MAKOM, PULIPPARA.P.O.,
KADAKKAL.P.O., KOLLAM DISTRICT.**
- 2. ABDUL HAMEED, AHAMED PILLAI,
RESIDING AT PARAYIL VEEDU, VAYYANAM.P.O.,
AYOOR, KOLLAM DISTRICT.**
- 3. SAJEER, S/O.MUHAMMED HASSAN,
RESIDING AT CHERUKONATHU PUTHEN VEEDU,
ANAPPARA, KADAKKAL.P.O., KOLLAM DISTRICT.**

**BY ADVS.SRI.R.NIKHIL
SMT.P.K.PAMALA
SMT.R.PREETHA
SRI.PABDUL RAZAK**

RESPONDENT(S):

- 1. THE REGIONAL TRANSPORT AUTHORITY,
KOLLAM, REPRESENTED BY ITS SECRETARY,
OFFICE OF THE REGIONAL TRANSPORT AUTHORITY,
COLLECTORATE BUILDING, KOLLAM-691 013.**
- 2. THE SECRETARY, REGIONAL TRANSPORT AUTHORITY,
KOLLAM, OFFICE OF THE REGIONAL TRANSPORT AUTHORITY,
COLLECTORATE BUILDING, KOLLAM-691 013**
- 3. MADHAVAN UNNITHAN, RESIDING AT SIVAPRIYA,
VAYYANAM.P.O., AYOOR, KOLLAM DISTRICT-691 559.**

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

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 04-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).NO.36831/2015

APPENDIX

PETITIONER'S EXHIBITS:

- P1 COPY OF THE STAGE CARRIAGE PERMIT IN RESPECT OF STAGE CARRIAGE BEARING REG.NO.KL-02-R-6372.**
- P2 COPY OF THE STAGE CARRIAGE PERMIT IN RESPECT OF STAGE CARRIAGE BEARING REG.NO.KL-05-T-6399.**
- P3 COPY OF THE JUDGMENT IN WP(C).NO.16037 OF 2015 DATED 01/06/2015**
- P4 COPY OF THE JUDGMENT IN WP(C).NO.9953 OF 2015 DATED 27/03/2015**
- P5 COPY OF THE REPRESENTATION DATED 12/11/2015.**

RESPONDENT'S EXHIBITS:

NIL

/TRUE COPY/

P.S.TO JUDGE

sts

K. HARILAL, J.

W.P. (C) No. 36831 of 2015-D

Dated this the 4th day of December, 2015

JUDGMENT

The 1st petitioner is the registered owner of stage carriage bearing registration No.KL-02-R-6372 and the regular permit holder on the route Kadakkal - Anchal (via) Altharamoodu, Kuttikkadu, Chunda, Vayyanam, Manjappa, Paramcode, Moolapara, Kottukkal and Kanjiram. The 2nd petitioner is the registered owner of the stage carriage bus bearing registration No.KL-02-AF-2599 and the regular permit holder on the route Anchal - Kadakkal (Via). Kottukal, Chariparambu, Kuttikadu and Kadakkal. The 3rd petitioner is the registered owner of stage carriage bearing registration No.KL-05-T-6399 and the regular permit holder on the

route Anchal - Madathara (Via) Kanjiramukku, Kottukal, Chariparambu, Pulippara, Kadakkal and Chithara. They are aggrieved by the settlement of time which is scheduled to be held on the application of the 3rd respondent. Hence they filed this writ petition seeking a direction to the 2nd respondent to consider and pass orders on Ext.P5 representation filed by the petitioners.

2. According to the petitioners, the sector in which the petitioners are operating, their buses is highly saturated and the timings are fixed in such a tight manner and any further introduction of service into this sector results in unhealthy competition between the services and may result in accidents and also causes much inconvenience to the travelling public. Recently, knowing fully well, the 2nd respondent, without considering the above aspects, issued fresh regular permits even without convening timing conference and settling the timings without considering the objections of the existing operators.

3. Heard the learned counsel for the petitioners and the learned Government Pleader.

3. Having regard to the grievance highlighted in this writ petition and the submissions made at the Bar, this writ petition is disposed of with a direction to the 2nd respondent to consider and pass orders on the objections raised in Ext.P5, at the earliest, at any rate, within a period of one month from the date of receipt of a copy of this judgment.

This writ petition is disposed of accordingly.

Sd/-

(K. HARILAL, JUDGE)

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//true copy//

P.S. to Judge