

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. 36948 of 2015 (P)

PETITIONER :

**SHIBI AJITH
W/O. ANITH KUMAR
PADOOR HOUSE, ANTHIKKAD
THRISSUR.**

BY ADV. SRI.ANUMOD B. NAIR

RESPONDENT :

**THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY
THRISSUR, PIN- 680 001.**

BY SR. GOVT. 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:**

Mn

...2/-

APPENDIX

PETITIONER'S EXHIBITS :

- EXT.P1 : COPY OF THE PROCEEDINGS OF THE REGIONAL TRANSPORT
AUTHORITY, THRISSUR DT. 2.6.2008 GRANTING REGULAR PERMIT IN
FAVOUR OF THE PETITIONER.
- EXT.P2 COPY OF THE LETTER SUBMITTED BY THE PETITIONER BEFORE THE
RESPONDENT PRODUCING THE CURRENT RECORDS DATED
23.8.2008.
- EXT.P3 COPY OF THE NOTICE OF THE RESPONDENT PROPOSING THE
TIMING CONFERENCE TO 28.10.2010.
- EXT.P4 COPY OF THE JUDGMENT OF THIS HONOURABLE COURT IN WP(C)
NO. 31757/2010 DATED 13.3.2013.
- EXT.P5 COPY OF THE REQUEST MADE BY THE PETITIONER BEFORE THE
RESPONDENT ON 17.11.2015.
- EXT.P6 COPY OF THE 4 MONTHS TEMPORARY PERMIT APPLICATION
SUBMITTED BY THE PETITIONER BEFORE THE RESPONDENT DATED
17.11.2015.

RESPONDENT'S EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

K.HARILAL, J.

W.P.(C) No.36948 of 2015

Dated this the 7th day of December, 2015.

JUDGMENT

The petitioner has been granted regular permit from the Regional Transport Authority, Thrissur, as per Ext.P1. By Ext.P2, the petitioner produced the current records, for issuance of the permit. According to the petitioner, there is an inordinate delay in issuing the permit and thereby the issuance of the regular permit also stood belated. Therefore, in that circumstance, the petitioner produced another later model vehicle for the issuance of the permit. When the same was refused by the respondent, the petitioner approached the State Transport Appellate Tribunal by filing MVAA No.339/09 and the Tribunal allowed the appeal and found that there is no justification for non-issuance of the permit, even if there is a change of vehicle. Even thereafter, the

respondent has not finalised the timings so far by convening a timing conference. Under the above circumstance, awaiting settlement of timings, the petitioner submitted Ext.P6 application for temporary permit also. But, the same has not been considered so far. In short, neither regular permit nor temporary permit has been granted to the petitioner. This is the grievance projected in this writ petition.

2. Heard the learned counsel for the petitioner and the learned Government Pleader.

3. The learned Government Pleader, on instruction, submits that the application for regular permit is being processed and waiting for the settlement of timings and the same can be issued at the earliest.

4. Considering the delay in issuing regular permit, Ext.P6 application seeking temporary permit has to be considered so as to enable the petitioner, to conduct service, during the period which is required for processing the regular permit. In that view of the matter, the respondent is directed to complete the

processing of application for regular permit and pass orders within a period of one month from the date of receipt of a copy of this judgment and consider and pass orders on Ext.P6 application seeking temporary permit within ten days from today.

This writ petition is disposed of.

Sd/—

K. HARILAL, JUDGE

okb.