

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

FRIDAY, THE 18TH DAY OF DECEMBER 2015/27TH AGRAHAYANA, 1937

WP(C).No. 37389 of 2015 (W)

PETITIONER(S):

**SADANANDAN.P.K,
PEZHUMKATTIL HOSUE, RAMAPURAM P.O., ANGADIPPURAM VIA
MALAPPURAM DISTRICT.**

BY ADV. SRI.SAJEEV KUMAR K.GOPAL

RESPONDENT(S):

- 1. THE SUB INSPECTOR OF POLICE
CITY TRAFFIC, KOZHIKODE POLICE STATION, KOZHIKODE
PIN-673 001.**
- 2. THE ADDITIONAL LICENSING AUTHORITY
SUB REGIONAL TRANSPORT OFFICE, PERINTHALMANNA
PIN-679 322.**

R BY SENIOR GOVERNMENT PLEADER ADV.SMT.SANJEETHA.K.A

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
18-12-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

AVS

WP(C).No. 37389 of 2015 (W)

APPENDIX

PETITIONER(S)' EXHIBITS:

EXHIBIT P1:- TRUE COPY OF THE FIR NO. 2317/2013 DATED 25/9/2013 REGISTERED BY THE 1ST RESPONDENT.

EXHIBIT P2:- TRUE COPY OF THE F.I STATEMENT GIVEN BY SRI. MUHAMMED RASHEED.

EXHIBIT P3:- TRUE COPY OF THE WAY BILL IN RESPECT OF RT.35

EXHIBIT P4:- TRUE COPY OF THE SHOWCAUSE NOTICE VIDE NO.G2/2007/2013/PMNA DATED 30/11/2013.

EXHIBIT P5:- TRUE COPY OF THE REPLY DATED 20/12/2013 SUBMITTED BY THE PETITIONER FOR EXHIBITP4.

EXHIBIT P6:- TRUE COPY OF THE INTERIM ORDER IN WP(C) NO.2549/2014 OF THIS COURT DATED 27/1/2014.

EXHIBIT P7:- TRUE COPY OF THE JUDGMENT IN WP(C) NO.2549/2014 OF THIS HON'BLE COURT DATED 27/2/2014.

EXHIBIT P8:- TRUE COPY OF THE NOTICE ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER DATED 13/11/2015.

RESPONDENT(S)' EXHIBITS:

NIL

// TRUE COPY//

PA TO JUDGE

AVS

V.CHITAMBARESH, J.
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W.P.(C).No.37389 of 2015
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Dated this, the 18th Day of December 2015.

J U D G M E N T

The petitioner challenges Ext.P8 notice issued by the second respondent. The notice requires the petitioner to appear before the second respondent for a hearing. The petitioner has also been directed to bring his original licence with him. The allegation pertains to an alleged accident in the precincts of the Mofussil Bus Stand, Kasaba, Kozhikode.

2. The petitioner is free to appear before the second respondent within two weeks from today. The petitioner can also file a detailed objection reflecting his contentions. The second respondent shall hear the concerned parties and come to a just conclusion. The records relating to the accident and the consequent death of the victim shall be perused while taking a decision.

The decision if any, to cancel/suspend the driving licence of the petitioner shall not be enforced for a period

of two weeks to enable him to pursue his statutory remedy. This is because the petitioner is employed as a driver in KSRTC for which a driving licence is essential. The second respondent is free to take the proceedings to a logical end untrammelled by the observations herein.

This Writ Petition is disposed of.

Sd/-

V.CHITAMBARESH, JUDGE.

AVS