

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.HARILAL

THURSDAY, THE 10TH DAY OF DECEMBER 2015/19TH AGRAHAYANA, 1937

WP(C).No. 37392 of 2015 (y)

PETITIONER(S):

- 1. PATHUMMA, W/O. KOMU, KANNIYAN HOUSE,
PANDIKKAD, MALAPPURAM DISTRICT,
(WITH STAGE CARRIAGE KL 11/X-6100).**
- 2. ABHILASH M.K., S/O.KUNHI RAMAN,
MUTHIRAKKALAYIL HOUSE,
KADALUNDI NAGARAM P.O., ARIYALLUR,
MALAPPURAM, (WITH STAGE CARRIAGE KL 65/D-5287).**

BY ADV. SRI.G.PRABHAKARAN.

RESPONDENT(S):

- 1. THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY CUM
REGIONAL TRANSPORT OFFICER,
KOZHIKODE-673 020.**
- 2. THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY CUM
REGIONAL TRANSPORT OFFICER,
MALAPPURAM-676 505.**

BY SR. GOVT. PLEADER SMT.K.A. SANJEETHA.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 10-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT.P1 COPY OF THE TIMING OF THE 1ST PETITIONER'S SERVICE
DATED 11/04/2003.
- EXT.P2 COPY OF THE TIMINGS OF THE 2ND PETITIONER'S SERVICE
DATED 22/09/2009.
- EXT.P3 COPY OF THE COMBINED REQUEST SUBMITTED BY THE
PDETITIONER BEFORE THE RESPONDENTS DATED 01/11/2015.
- EXT.P4 COPY OF THE JUDGMENT DATED 20/11/2015 IN WP(C).NO.35061/2015.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

K. HARILAL, J.

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W.P. (C) No.37392 of 2015

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Dated this the 10th day of December, 2015

J U D G M E N T

The petitioners 1 and 2 are the registered owners of a stage carriage bearing registration Nos. KL 11/X 6100 and KL 65/D 5287 and they have been granted with a regular permit on the route Parappanangadi - Kozhikode - Koyilandy and Olipram - Kozhikode - Tanur respectively with a set of timings, which was given several years back. After the issuance of the set of timings, some of the timings of the service are in clash with other services on the route in question. In the said circumstance, the petitioners preferred Ext.P3 application before the respondent, seeking revision of his own timings. Thus, their only prayer is to consider Ext.P3 and pass orders,

-: 2 :-

so as to remove the clash between the timings of the petitioners' vehicle and that of others. According to the petitioners, the revision of timings is beneficial to the travelling public also. To substantiate their right to get revision of the existing timings, the petitioners relied on the decision of this Court in ***Joji Edattel v. The Secretary, RTA, Idukki*** [2004 (1) KLT 493].

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

3. The learned counsel for the petitioners confines his arguments to the limited prayer to issue a direction to dispose of Ext.P3 application at the earliest.

4. Having regard to the grievance highlighted in Ext.P3 application, the respondent is directed to consider and pass orders on Ext.P3 at the earliest, at any rate, within a period of one month from the date of receipt of a copy of this judgment.

-: 3 :-

This writ petition is disposed of accordingly.

Sd/-

**K. HARILAL,
JUDGE**

DST

//True copy//

P.A. To Judge