

(2010) 10 KL CK 0113

In the High Court Of Kerala

Case No : Writ Petition (C) . No. 28789 of 2009 (P)

C.B. Sureshkumar

APPELLANT

Vs

The Regional Transport Authority, The Secretary Regional
Transport and E.R. Gopalakrishnan

RESPONDENT

Date of Decision : 14-10-2010

Acts Referred:

Citation : (2010) 10 KL CK 0113

Hon'ble Judges : T.R. Ramachandran Nair, J

Bench : Single Bench

Advocate : Dinesh Menon, for the Appellant; Government Pleader, for the Respondent

Judgement

T.R. Ramachandran Nair, J.—The main prayer in the Writ Petition is for a direction to the Secretary, Regional Transport Authority, Kannur not to grant further temporary permit on the route Kasaragod-Guruvayur as Limited Stop Fast Passenger service in respect of stage carriage KL-8B 2094. It is owned by the 2nd respondent. According to the petitioner the vehicles has attained 5 years of age on 13.8.2009 and the same has not been replaced.

2. On behalf of the 2nd respondent, a counter affidavit has been filed. It is pointed out that the vehicle was registered on 12.8.2004 and had completed five years on 11.8.2009 and after 11.8.2009, no temporary permit u/s 87(1)(d) was issued to the vehicle and it is not conducting service. Now the vehicle is under stoppage. The permit holder requested time for replacing the vehicle by a later model vehicle. It is pointed out that the timing conference fixed on 16.10.2009 was for the variation and the same was postponed also. Further, it is pointed out that the renewal of permit is for want of confirmation from sister RT As u/s 87(1)(d) before attaining the age of five years and no temporary permit u/s 87(1)(d) was issued after the expiry of five years. In the light of the above position, no further orders are called for in the Writ Petition and the Writ Petition is hence disposed of in the light of the averments in the counter affidavit filed by

the 2nd respondent. No costs.