

(2018) 03 KL CK 0069

In the High Court Of Kerala

Case No : Writ Petition (Civil) No. 5961 Of 2018

K J Mathew @APPELLANT@Hash Regional Transport Authority And Anr

Date of Decision : 01-03-2018

Acts Referred:

Motor Vehicles Act, 1988 — Section 87(1)(c)

Citation : (2018) 03 KL CK 0069

Hon'ble Judges : Anil K. Narendran, J

Bench : Single Bench

Advocate : M.Jithesh Menon, K.P.Harish

Final Decision : Disposed Off

Judgement

1. The petitioner, who is a stage carriage operator on the route Pala-Koothattukulam on the strength of Ext.P1 regular permit, which was valid from 16.12.2012 to 15.12.2017, has approached this Court in this writ petition filed under Article 226 of the Constitution of India, seeking a writ of mandamus commanding the 1st respondent to consider Ext.P2 application for renewal along with Ext.P3 application for condonation of delay. The petitioner has also sought for a writ of mandamus commanding the 2nd respondent to consider Ext.P5 application for temporary permit for a period of four months, under Section 87(1) (c) of the Motor Vehicles Act,.
2. On 22.02.2018, when this writ petition came up for admission, the learned Senior Government Pleader was directed to get instructions.
3. Heard the learned counsel for the petitioner and also the learned Senior Government Pleader appearing for the respondents.
4. During the course of arguments, the learned counsel for the petitioner would submit that the petitioner does not want to prosecute this writ petition insofar as the consideration of Ext.P5 application is concerned, since he proposes to make a fresh application for temporary permit for two months. The said submission is recorded.

5. The learned Senior Government Pleader on instructions would submit that Ext.P2 application made by the petitioner for renewal of Ext.P1 regular permit and Ext.P3 application for condonation of delay in filing Ext.P2 application shall be placed before the Regional Transport Authority, Kottayam in its next meeting. In such circumstances, without going into the merits of the claim made by the petitioner in Exts.P2 and P3, this writ petition is disposed of by directing the 2nd respondent to consider and pass appropriate orders on those applications made by the petitioner, in its next meeting itself.