
(2023) 09 KL CK 0266

In the High Court Of Kerala

Case No : Writ Petition (C) No. 31858 Of 2023

K.K. Abdul Gafoor

APPELLANT

Vs

Secretary Regional Transport Authority

RESPONDENT

Date of Decision : 29-09-2023

Acts Referred:

Citation : (2023) 09 KL CK 0266

Hon'ble Judges : Dinesh Kumar Singh, J

Bench : Single Bench

Advocate : I.Dinesh Menon, Joby Joseph

Final Decision : Disposed Of

Judgement

Dinesh Kumar Singh, J

1. The petitioner is an existing stage carriage operator on the route Kuttippuram-Tirur. He has moved an application for substituting the present vehicle KL 55 AA 1311 by SC KL 45 B 2244. However, the same was rejected by the respondent .

2. Aggrieved by the same, the petitioner has approached the State Transport Appellate Tribunal, Ernakulam. The Tribunal has passed Exhibit P1 interim order dated 06.02.2023 granting replacement of the vehicle provisionally and thereafter, the same was extended as per Exhibit P3 order dated 31.07.2023. But, the respondent has not taken any steps to endorse the extension granted as per Exhibit P3, in the permit. Hence this writ petition seeking the following relief:

Issue a writ of mandamus or any other appropriate writ, direction or order directing the respondent Secretary, RTA, Malappuram to consider Exhibit P4 request dated 09.08.2023 and endorse the order of the Tribunal sanctioned on 31.07.2023 in M.P. No. 1662/2023 in M.P. No. 1103/2023 in MVAA No. 37/2023 in the permit so as to enable the petitioner to run and operate the vehicle KL 45B 2244 on the route Valanchery-Tirur, within a time frame as this Hon'ble Court may deem fit and proper.

3. The learned Government Pleader submits that the order passed by the Tribunal in Exhibit P3 shall be implemented within a period of two weeks.
4. Considering the aforesaid submission, the present writ petition is disposed of, with a direction to the respondent to make necessary endorsement on the permit, in pursuance to Exhibit P3 order passed by the Tribunal, within a period of two weeks.