
(2022) 05 KL CK 0136

In the High Court Of Kerala

Case No : Writ Petition (C) No.16435 Of 2022

R. Mohankumar

APPELLANT

Vs

Regional Transport Authority Malappuram

RESPONDENT

Date of Decision : 25-05-2022

Acts Referred:

Citation : (2022) 05 KL CK 0136

Hon'ble Judges : Sathish Ninan, J

Bench : Single Bench

Advocate : Saju J.Vallyara, Bimal K Nath

Final Decision : Disposed Of

Judgement

Sathish Ninan, J

1. Petitioner in this writ petition is a "saved permit holder". His application for renewal of permit is pending consideration by the authority. He has approached this Court due to the delay in passing orders on the application.

2. That the distance limit specified in Rule 2(oa) does not have any application with regard to "saved permits", has been held by a Division Bench of this Court in Kerala State Road Transport Corporation v. Saju Varkey and Ors. [2018 (4) KHC 617]. That the Government Orders brought in the year 2015 and 2020 are of no relevance in considering the rights of saved permit holders, has been held by this Court in Hyderali v. The Regional Transport Authority and Ors. in W.P.(C) No.8702/2021 and connected cases. The saved permit holders are entitled for renewal of their permits till a valid scheme of nationalisation is brought in, under the provisions of the Motor Vehicles Act. The State Transport Appellate Authority had, as per Ext.P2 judgment in MVARP 40/2020 directed the authority to consider the petitioner's renewal application without requiring any curtailment application. Ext.P2 order is dated 30.07.2020. Yet, orders have not been passed by the authority.

3. In the light of the above, let the application submitted by the petitioner for renewal of permit be considered and orders passed as expeditiously as possible and at any rate within a period of six weeks from the date of receipt of a copy of this judgment.

Writ petition is disposed of as above.