

(2024) 08 KL CK 0066

In the High Court Of Kerala

Case No : Writ Petition (C) No. 30339 Of 2024

Vijayappan Nair A

APPELLANT

Vs

Secretary, Regional Transport Authority, Kottayam

RESPONDENT

Date of Decision : 30-08-2024

Acts Referred:

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

Citation : (2024) 08 KL CK 0066

Hon'ble Judges : Basant Balaji, J

Bench : Single Bench

Advocate : K.V.Gopinathan Nair, S. Gopinathan

Final Decision : Disposed Of

Judgement

Basant Balaji, J

The petitioner is the holder of a regular permit to operate service on the route Kumily-Vyttila Hub via Mundakayam, Ponkunnam, Kottayam, University, Ettumanoor, Thalayolaparambu, Puthiyakav and Thripunithara. The regular permit was valid up to 07.03.2018. The petitioner filed an application for renewal of the same on 19.02.2018. A vehicle with Registration No.KL-34/D 1033 was operating on this route. The petitioner submitted an application for the replacement of this vehicle, and he was allowed to operate by virtue of a temporary permit with the present vehicle bearing Registration No.KL-06/H 1291.

The respondent rejected the renewal application, against which a statutory appeal was filed as M.V.A.A 96 of 2022 before the State Transport Appellate Tribunal and the Tribunal permitted the petitioner to continue the service on the above-said route by extending the validity of Ext.P1 till 06.08.2024. By judgment dated 06.08.2024, the appeal was allowed, and the rejection order was set aside, which directed the authority to consider the renewal application within two months. Pending renewal, the petitioner filed an application for a temporary permit under Section 87(1)(d) of the Motor Vehicles Act, dated 06.08.2024. The

petitioner's request is for the disposal of the said application within a time frame.

Learned government pleader opposes the same and prays for time to get instructions. He also submits that since the regular permit expired on 06.08.2024 Ext.P2 cannot be disposed of.

Since the limited prayer is only for disposal of Ext.P2, I deem it appropriate to direct the respondent to take up Ext.P2 filed on 06.08.2024 and pass appropriate orders in accordance with law, within a period of two weeks from the date of receipt of a copy of the judgment.