

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.T.RAVIKUMAR

WEDNESDAY, THE 22ND DECEMBER 2010 / 1ST POUSHA 1932

WP(C).No. 37185 of 2010(W)

PETITIONER(S):

DEVASIA JOSEPH, KALLARACKAL HOUSE,
ANAVILASAM PO, IDUKKI.

BY ADV. SRI.P.DEEPAK

RESPONDENT(S):

1. THE REGIONAL TRANSPORT AUTHORITY,
IDUKKI, REPRESENTED BY ITS SECRETARY
IDUKKI, IDUKKI PO, PIN 685 603.
2. THE SECRETARY, REGIONAL TRANSPORT
AUTHORITY, IDUKKI PO, PIN 685 603.

BY G.P.SRI.BASANT BALAJI

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 22/12/2010, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

C.T.RAVIKUMAR, J.

W.P.(C)No.37185 of 2010

Dated 22nd December, 2010

JUDGMENT

The petitioner has submitted Ext.P1 application for grant of regular permit to conduct stage carriage service on the route Kumali - Chinnar. This writ petition has been filed mainly with the prayer to issue a writ of mandamus commanding the 2nd respondent to place Ext.P1 application for consideration before the 1st respondent and in turn to direct the first respondent to consider and pass orders thereon without insisting production of a ready vehicle in terms of the decision of this Court in **Aboobacker** v. **RTA** (2005 (1) KLT 987).

2. I have heard the learned counsel appearing for the petitioner as also the learned Government Pleader.

The learned Government Pleader, upon instructions, submitted that pursuant to the receipt of Ext.P1 application it was forwarded to the field officer viz., Motor Vehicle Inspector attached to the second respondent for an enquiry and report. It is further submitted that on receipt of report from the said officer Ext.P1 application would be placed before the first respondent for consideration. In view of the said submission this writ petition is disposed of with a direction to the second respondent to place Ext.P1 application before the first respondent for

consideration immediately on receipt of report from the Motor Vehicle Inspector, Idukki. When it is placed before the first respondent for consideration by the second respondent, the first respondent shall consider Ext.P1 application in accordance with law and taking into account the dictum laid down by this Court in the decision reported in 2005 (1) KLT 987 (supra) expeditiously.

Sd/-
C.T.RAVIKUMAR
Judge

TKS

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P.S. to Judge