



2024:KER:68531

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

MONDAY, THE 9TH DAY OF SEPTEMBER 2024 / 18TH BHADRA, 1946

WP(C) NO. 30203 OF 2024

PETITIONER:

ABDULLAKOYA KP
AGED 50 YEARS
S/O HAMZAKUTTY KP, R/O KUPPANTE PURAKKAL HOUSE,
PUTHIYAKADAPPURAM, NIRAMARUTHER, PARIYAPURAM,
TIRUR, MALAPPURAM, PIN - 676101

BY ADVS.
NAVANEETH.N.NATH
GAUTHAM KRISHNA E.J.
ABHIRAMI S.

RESPONDENTS:

- 1 THE REGIONAL TRANSPORT AUTHORITY, KOZHIKODE
REPRESENTED BY ITS SECRETARY, OFFICE OF THE
REGIONAL TRANSPORT OFFICER, CIVIL STATION,
KOZHIKODE., PIN - 673020
- 2 THE SECRETARY
REGIONAL TRANSPORT AUTHORITY, KOZHIKODE, OFFICE OF
THE REGIONAL TRANSPORT OFFICER, CIVIL STATION,
KOZHIKODE., PIN - 673020
- 3 THE DEPUTY TRANSPORT COMMISSIONER
CIVIL STATION, CIVIL STATION P.O, MALAPARAMBA,
KOZHIKKODE ., PIN - 673020
- 4 THE DEPUTY SUPERINTENDENT OF POLICE
VIGILANCE AND ANTI CORRUPTION BUREAU KOTTOOLI,
MAVOOR ROAD, KOZHIKODE., PIN - 673016
- 5 SALMATH A
W/O NAVAS A, ANJUVINTAKATH, MARADU,
NEERMOONMIPARAMBU, ARAKKINAR, KOZHIKODE., PIN -
673028

SRI.S. GOPINATHAN -SR.GP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
09.09.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**JUDGMENT**

The present writ petition has been filed with the following prayers:-

- "a. Issue a Writ of Mandamus, or any other appropriate writ order, or directive to Quash the timings allocated to the stage carriage bearing Registration No. KL-47-2718, as specified in Exhibit P5
- b. This Hon'ble Court may graciously direct the Respondents to restore the Petitioner's previous timings as per Exhibit P.1.
- c. To permit the petitioner to dispense with filing of translation of exhibits in vernacular language along with the writ petition.
- d. To grant such other and incidental reliefs as this Hon'ble court may deem fit, just and necessary in the peculiar facts and circumstances of this case; and
- e. To allow this Writ Petition (civil) with costs to the Petitioner."

2. Against the decision of the respondent authority for settling of timing for operation of stage carriage vehicle bearing Registration No. KL-47-2718 owned by respondent No.5 in Ext.P5, the petitioner has remedy of filing revision under Section 90 of the Motor Vehicles Act, 1988, before the State Transport Appellate Tribunal.

3. Mr. Navneeth, the learned counsel for the petitioner submits that, the petitioner would like to withdraw this writ petition and shall approach the State Transport Appellate Tribunal against Ext.P5 order, settling the timings for stage carriage operation of vehicle bearing Registration No. KL-47-2718, owned



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by the 5th respondent.

4.Considering the aforesaid submissions, the present writ petition is dismissed as withdrawn, with liberty to the petitioner to approach the State Transport Appellate Tribunal against Ext.P5 order. In case the petitioner files the revision within a period of three weeks from today, the State Transport Appellate Tribunal should proceed to decide the revision expeditiously. The State Transport Appellate Tribunal should proceed to decide the revision on merit without going into the question of limitation. The State Transport Appellate Tribunal should decide the revision, if so filed, preferably, within a period of two months from the date of filing, in accordance with law.

Sd/-

DINESH KUMAR SINGH

JUDGE

SJ



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APPENDIX OF WP(C) 30203/2024

PETITIONER EXHIBITS

- | | |
|-------------------|--|
| Exhibit P1 | THE TRUE COPY OF THE TIMES SCHEDULE BEARING ORDER NO. SC4/2283147/2021/03/11/2022Z DATED 07.11.2022 PRESCRIBED BY THE RESPONDENT NO. 2 TO THE PETITIONER'S STAGE CARRIAGE |
| Exhibit P2 | THE TRUE COPY OF THE TIME SCHEDULE DATED 22.06.2023 BEARING NO. SC2/10SC/233/2022/KL-10 PRESCRIBED FOR KL65 N3732 |
| Exhibit P3 | A TRUE COPY OF THE JUDGEMENT DATED 24.07.2024 IN WP(C) 24257/2024 |
| Exhibit P4 | THE TRUE COPY OF THE MEDICAL CERTIFICATE DATED 06.08.2024 REGARDING MEDICAL ISSUED OF THE PETITIONER'S SON |
| Exhibit P5 | THE TRUE COPY OF THE STAGE CARRIAGE PERMIT DATED 12.08.2024 ISSUED BY THE RESPONDENT NO. 1 |
| Exhibit P6 | THE TRUE COPY OF THE REPRESENTATION LETTER DATED 08.08.2024 SUBMITTED BY THE PETITIONER TO THE RESPONDENT NO. 2 |
| Exhibit P7 | THE TRUE COPY OF THE COMPLAINT DATED 12.08.2024 SENT TO THE RESPONDENT NO. 3 |
| Exhibit P8 | THE TRUE COPY OF THE COMPLAINT DATED 09.08.2024 SENT BY THE PETITIONER TO THE RESPONDENT NO. 4 |