

Ajith Kumar Vs. the Regional Transport Authority Kozhikode

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SooperKanoon Citation : sooperkanoon.com/1012931

Court : Kerala

Decided On : Feb-01-2013

Judge : Honourable Mr.Justice V.Chitambaresh

Appellant : Ajith Kumar

Respondent : The Regional Transport Authority Kozhikode

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE V.CHITAMBARESH FRIDAY, THE 1ST DAY OF FEBRUARY 2013 12TH MAGHA 193 WP(C).No. 1395 of 2013 (Y) ----- PETITIONER(S): ----- AJITH KUMAR, S/O.MADHAVAN,PUTHUPPARAMBU,PARAPPURAM, P.O ARAKKINAR,BEYPORE,KOZHIKODE DISTRICT

028. BY ADV. SRI.K.A.SALIL NARAYANAN RESPONDENT(S): ----- THE REGIONAL TRANSPORT AUTHORITY, KOZHIKODE, REP.BY ITS SECRETARY,CIVIL STATION, KOZHIKODE

020. BY SR.GOVERNMENT PLEADER SRI.P.M.SANEER THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 01-02-2013, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: Kss WPC.NO.1395/2013 Y APPENDIX PETITIONER'S EXHIBITS: P1: COPY OF THE CERTIFICATE OF REGISTRATION IN RESPECT OF VEHICLE NO.KL-11 AB-2149. P2: COPY OF

THE ACKNOWLEDGEMENT ISSUED TO THE PETITIONER FOR HAVING PAID THE FEE TOWARDS GRANT OF C.C.NUMBER. P3: COPY OF THE CERTIFICATE OF REGISTRATION IN RESPECT OF VEHICLE NO.KL-11 AK-8348. P4: COPY OF THE AFFIDAVIT FILED BY THE PETITIONER BEFORE THE RESPONDENT. P5: COPY OF THE COMMUNICATION ISSUED TO THE PETITIONER FROM THE OFFICE OF THE RESPONDENT. RESPONDENT'S EXHIBITS: N I L /TRUE COPY/ P.A.TO JUDGE Kss V. CHITAMBARESH,J
----- W.P.(C) No. 1395 of 2013 -----

Dated this the 1st day of February, 2013 JUDGMENT The petitioner was the registered owner of an autorikshaw KL-11/AB 214.covered by Ext.P1 certificate of registration. The Regional Transport Authority had granted a city permit to the petitioner to operate service within the limits of Kozhikode Corporation as evidenced by Ext.P2 acknowledgment. But the permit though was granted was not issued to the petitioner in view of several writ petitions pending in this court.

2. The petitioner later purchased another autorikshaw KL 1.AK 834.covered by Ext.P3 certificate of registration. The petitioner purchased a new autorikshaw only because the earlier autorikshaw ceased to be road worthy. The petitioner thereafter applied for a city permit to his new autorikshaw as well supported by Ext.P4 affidavit. The petitioner learnt from Ext.P5 response to his query under the Right to Information Act that a fresh permit has not been issued in accordance with the existing norms. 2 WP(C) No. 1395/2013 3. The Government Pleader points out that the government has sanctioned an additional 234 city permits as per G.O.(P) No. 4/11/trans dtd. 27.01.2011 for autorikshaws to operate within the city of Kozhikode. The petitioner asserts that the entire quota of 234 in addition to the existing 4000 city permits has not been exhausted to the best of his knowledge. I permit the petitioner to file a detailed representation to the respondent Regional Transport Authority staking claim for the grant of city permit. The respondent shall consider the representation, if any, put in by the petitioner within a period of one month of its preferment. The first respondent shall consider the request put in by the petitioner taking note of the permit granted to his earlier autorikshaw and also subject to the availability of quota granted by the government. The Writ Petition is disposed of. No costs. V. CHITAMBARESH JUDGE ncd