

Pradeepan Vs. Secretary

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Court : Kerala

Decided On : Jul-16-2013

Judge : Honourable Mr.Justice Antony Dominic

Appellant : Pradeepan

Respondent : Secretary

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE A.M.SHAFIQU TUESDAY, THE 16TH DAY OF JULY2013/25TH ASHADHA, 1935 WP(C).No. 17646 of 2013 (E) ----- PETITIONER(S): ----- PRADEEPAN MAILAKKOT PARAMBA HOUSE, KANNAKARA, CHELANNUR KOZHIKODE. BY ADV. SRI.I.DINESH MENON RESPONDENT(S): ----- THE SECRETARY REGIONAL TRANSPORT AUTHORITY, VADAKARA-673101. BY SR. GOVERNMENT PLEADER P.M. SANEER. THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 16-07-2013, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: DCS WP(C).No. 17646 of 2013 (E) ----- APPENDIX PETITIONER(S)' EXHIBITS ----- EXHIBIT P1- COPY OF THE REGULAR PERMIT ISSUED TO THE PETITIONER. EXHIBIT P2- COPY OF THE CLEARANCE CERTIFICATE OF THE VEHICLE KL-56 A 340.DATD 18 4-2013. EXHIBIT P3- COPY OF THE REQUEST DATED 5 7-2013. RESPONDENT(S)' EXHIBITS :- NIL ----- /TRUE COPY/ P.A. TO JUDGE DCS A.M.

SHAFFIQUE, J ----- W.P.(C). NO. 17646 OF 2013.----- Dated this the 16th day of July, 2013

JUDGMENT The petitioner is a regular permit holder which is valid till 16.06.2015. The basic vehicle of the petitioner had to be changed and therefore the petitioner requested for a clearance certificate by keeping the permit under suspended animation which was permitted by the respondent authority. Petitioner had offered to produce a new vehicle within a period of three months and the time expires on 17.07.2013. It is submitted by the petitioner that so far the vehicle could not be arranged as the work relating to the body building is proceeding and the petitioner may require a further two months period to produce the new vehicle. Petitioner submitted Ext. P3 request to the Secretary, Regional Transport Authority. The petitioner apprehends that the maximum period that is normally allowed is four months from date of the order passed and the vehicle could be W.P.(C). No. 17646/2013 2 completed in full only if a further two months is granted. In that circumstances, the petitioner feels that the respondent authority may not consider Ext. P3 application.

2. Having regard to the facts and circumstances, I am of the view that this writ petition can be disposed of as follows:- The respondent authority shall place Ext. P3 application before the Regional Transport Authority for appropriate orders and the said authority shall consider and dispose of the matter as expeditiously as possible. Till such orders are passed no action should be taken for cancelling the permit. SD/- A.M. SHAFFIQUE JUDGE DCS

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