

Nandan Vs. Secretary

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Court : Kerala

Decided On : Jul-08-2013

Judge : Honourable Mr.Justice Thomas P.Joseph

Appellant : Nandan

Respondent : Secretary

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE A.M.SHAFIQUE MONDAY, THE 8TH DAY OF JULY 2013 17TH ASHADHA, 1935 WP(C).No. 17095 of 2013 (J) ----- PETITIONER(S): ----- NANDANAN S/O. ACHUTHAN VAIDYAR, PULLANIKKATTIL HOUSE KOZHIKKOTTIRI P.O., PALAKKAD. BY ADV. SRI.I.DINESH MENON RESPONDENT(S): ----- SECRETARY REGIONAL TRANSPORT AUTHORITY, THRISSUR-678 001. BY GOVERNMENT PLEADER SRI.P.M.SUNEER THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 08-07-2013, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: WP(C).No. 17095 of 2013 (J) ----- APPENDIX PETITIONER(S)' EXHIBITS ----- P1 : COPY OF THE PERMIT ISSUED TO THE PETITIONER. P2 : COPY OF THE RC BOOK OF THE VEHICLE KL-8/X 342.P3 : COPY OF THE INTERIM ORDER IN WP(C) NO.12811/2011 DTD.6.5.2011. P4 : COPY OF THE INTERIM ORDER IN WP(C) NO.18843/2011 DTD.12.7.2011. P5 : COPY OF THE REQUEST FOR ISSUANCE OF CLEARANCE CERTIFICATE AS

RELATING TO VEHICLE KL-8/X 34.DTD.29.6.2013. P6 : COPY OF THE JUDGMENT IN WP(C) NO.15365/2013 DTD.18.6.2013. nkm /true copy/ P.S. TO JUDGE A.M.SHAFIQU, J.

----- W.P.(C).No. 17095 OF 201.-----

Dated this the 8th day of July, 2013 JUDGMENT The learned Government Pleader takes notice for respondent.

2. Petitioner is having a regular permit in respect of the route Pattambi-Pallippuram, which is valid till 30.5.2018. He intends to transfer his vehicle with a new vehicle. The authorities have called upon him to surrender the permit for effecting the transfer. This Court had held in various judgments that surrender of permit is not required for giving a clearance certificate to the permit holders.

3. Having regard to the aforesaid facts and circumstances, I am of the view that this writ petition can be disposed as follows: a) The respondent authority shall issue necessary clearance certificate to the petitioner for sale of his vehicle KL- 8 X 34.by keeping the permit under suspended animation. b) The respondent shall also specify the time limit for producing the new vehicle. A.M.SHAFIQU, JUDGE cms

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