

Abdul Rasheed M vs the Regional Transport Authority Kollam

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Court : Kerala

Decided On : Mar-01-2024

Judge : Honourable Mr.Justice N.Nagaresh

Appeal No. : WP(C)/8354/2024

Appellant : Abdul Rasheed M

Respondent : The Regional Transport Authority Kollam

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE N.NAGARESH FRIDAY,
THE 1ST DAY OF MARCH 2024 / 11TH PHALGUNA, 1945 WP(C) NO.
8354 OF 2024 PETITIONERS: 1 ABDUL RASHEED M AGED 57
YEARS, S/O M.M. ISMAYIL, THENGUVILAVEEDU, THADICADU P.O.,
KOLLAM, PIN - 691 306. 2 VIJAYARAJU P AGED 58 YEARS, C/O
PRESENTATION E, BROTHERS NIVAS, KANNANALLUR P.O.,
KOLLAM, PIN - 691 576. BY ADVS. NAZRIN BANU P.DEEPAK
RESPONDENTS: 1 THE REGIONAL TRANSPORT AUTHORITY
KOLLAM REPRESENTED BY ITS SECRETARY, 2 THE SECRETARY
REGIONAL TRANSPORT AUTHORITY KOLLAM BY SREEJITH V.S,
GOVERNMENT PLEADER THIS WRIT PETITION (CIVIL) HAVING

COME UP FOR ADMISSION ON 01.03.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: :2:

JUDGMENT

Dated this the 1st day of March, 2024 The petitioners are Stage Carriage Operators. The 1st petitioner's ordinary Stage Carriage service is operating on the route Punalur-Kollam and the 2 nd petitioner's ordinary Stage Carriage service is operating on the route Kottiyam-Ammachiveedu.

2. The petitioners state that they filed Ext.P5 joint

representation for Revision of Timings of the 1st petitioner's Stage Carriage service operated using vehicle bearing registration No.KL-25L-6891 covered by Ext.P1 permit, whereby the current departure time 02:20 PM from Kannanalloor to Kollam may be revised to 02:15 PM, since currently both the 1st petitioner's Stage carriage service and the 2nd petitioner's stage carriage service are issued with the same departure time of 02:20 PM from Kannanalloor to head towards Kollam.

:3:

3. Even though Ext.P5 representation has been taken to file, the respondents insist that the same can be considered only if otherwise ordered by this Court, contends the petitioners.

4. Heard the learned Counsel for the petitioners and the learned Government Pleader representing the respondents.

5. It is evident that Ext.P5 is an application for

change of timing which has a statutory flavour. Therefore, it is necessary that the competent authority should consider Ext.P5 in accordance with law within a reasonable time. The writ petition is therefore disposed of directing the respondent to consider Ext.P5 application submitted by the petitioners and take appropriate decision thereon within a period of two months in accordance with law and after giving an opportunity of hearing to all affected parties.

Sd/- N. NAGARESH JUDGE AMR :4: APPENDIX OF WP(C) 8354/2024
PETITIONERS EXHIBITS Exhibit P1 A TRUE COPY OF THE REGULAR PERMIT
DATED 10.12.2020. Exhibit P2 A TRUE COPY OF THE REGULAR PERMIT
DATED 01.11.2021. Exhibit P3 A TRUE COPY OF THE TIME SCHEDULE
ISSUED TO THE 1ST PETITIONER'S STAGE CARRIAGE SERVICE DATED
23.09.2014. Exhibit P4 A TRUE COPY OF THE TIME SCHEDULE ISSUED TO
THE 2ND PETITIONER'S STAGE CARRIAGE SERVICE DATED 30.11.1998.
Exhibit P5 A TRUE COPY OF THE JOINT REPRESENTATION DATED
29.07.2023.

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