

George vs the Secretary

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SooperKanoon Citation : sooperkanoon.com/1333884

Court : Kerala

Decided On : Jan-31-2023

Judge : Honourable Mr. Justice Raja Vijayaraghavan V

Appeal No. : WP(C)/2306/2023

Appellant : George

Respondent : The Secretary

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE RAJA VIJAYARAGHAVAN V TUESDAY, THE 31ST DAY OF JANUARY 2023 / 11TH MAGHA, 1944 PETITIONER/S: GEORGE AGED 46 YEARS PALLATH HOUSE, KOKKADAVIL, WAYANAD, PIN - 670732 BY ADV STALIN PETER DAVIS RESPONDENT/S: THE SECRETARY REGIONAL TRANSPORT AUTHORITY, CIVIL STATION, KALEPETTA NORTH WAYANAD, PIN - 673122 SRI TR RENJITH SR GP THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31.01.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

The petitioner states that he is an existing operator serving on the route Mananthavady-Kalpatta with the Stage Carriage bearing Reg. No. KL-38/6973. He has approached this Court seeking the following reliefs: i) to issue a writ of mandamus or any other appropriate writ, direction or

order directing the respondent to consider and dispose Exhibit.P1

application submitted by the petitioner for making necessary changes in the timings of his service on the route 7/4- Mananthavady - Kalpatta in respect of stage carriage KL-38/ 6973, after affording an opportunity to the petitioner and interested operators, within a reasonable time limit to be fixed by this Honourable Court, in the interest of justice:

2. Heard Sri. Stalin Peter Davis, the learned counsel appearing for the petitioner and the learned Government Pleader.

3. After having carefully evaluated the contentions raised in this

writ petition, the submissions made across the bar, and the facts and circumstances, I am of the view that this writ petition can be disposed of at the admission stage itself by issuing the following directions: a) There will be a direction to the respondent to take up, consider and pass appropriate orders on Ext P1, in strict compliance with the procedure, after affording an opportunity of being heard, either physically or virtually, to the petitioner herein and other affected parties, if any. b) Orders, as directed above, shall be passed expeditiously, in any event, within a period of one month from the date of production of a copy of this judgment. c) It would be open to the petitioners to produce a copy of the writ petition along with the judgment before the concerned respondent for further action. This writ petition is disposed of. Sd/- RAJA VIJAYARAGHAVAN V JUDGE avs APPENDIX OF WP(C) 2306/2023 PETITIONER EXHIBITS Exhibit1 A TRUE COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER BEFORE THE RESPONDENT DATED 27/12/2022.

