

Divya vs the Secretary

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Court : Kerala

Decided On : May-31-2023

Judge : Honourable Mr.Justice C.S.Dias

Appeal No. : WP(C)/6549/2023

Appellant : DIVYA

Respondent : The Secretary

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE C.S.DIAS WEDNESDAY, THE 31ST DAY OF MAY 2023 / 10TH JYAISHTA, 1945 WP(C) NO. 6549 OF 2023 PETITIONER: 1 DIVYA AGED 42 YEARS WIFE OF VINOD KUMAR N. RADHAKRISHNA MANDIRAM, THRIKKARIYUR P.O., KOTHAMANGALAM., PIN - 686692 BY ADV I.DINESH MENON RESPONDENTS: 1 THE SECRETARY REGIONAL TRANSPORT AUTHORITY REGIONAL TRANSPORT OFFICE, CIVIL STATION P.O., IDUKKI, PIN - 685603 2 THE MANAGING DIRECTOR KERALA STATE ROAD TRANSPORT CORPORATION, TRANSPORT BHAVAN, FORT P.O., THIRUVANANTHAPURAM., PIN - 695023 BY ADVS. PARVATHY KOTTOL, GOVERNMENT PLEADER P.C.CHACKO DEEPU THANKAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31.05.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

Dated this the 31st day of May, 2023 The writ petition is filed to direct the first respondent to consider and dispose of Ext.P8 application submitted by the petitioner for temporary permit in respect of vehicle bearing registration No.KL-07 CH-5450.

2. The petitioners case is that, although she had submitted Ext.P8 application on 23.02.2023, the same has not been considered by the first respondent. Hence, the writ petition.

3. Heard; Sri.I.Dinesh Menon, the learned

counsel appearing for the petitioner, Smt.Parvathy Kottol, the learned Government Pleader appearing for the first respondent and Sri.P.C.Chacko, the learned counsel appearing for the 2nd respondent.

4. Having considered the pleadings and

materials on record and taking note of the fact that Ext.P8 application is pending consideration before the first respondent since 23.02.2023, I deem it appropriate to direct the first respondent to consider and dispose of the application within the time frame. Resultantly, the writ petition is disposed of in the following manner:

(i) The first respondent is directed to consider and dispose of Ext.P8 application, in accordance with law and as expeditiously as possible, at any rate, within a period of two months from the date

of receipt of a certified copy of this judgment

after affording all parties an opportunity of being heard and subject to the priority of pending applications as directed to be considered by this Court.

(ii) Until such time orders are passed on

Ext.P8 application, the petitioner is permitted to operate, on the strength of the temporary permit on the curtailed route i.e. below 140 kms with the existing timing and the existing permit. The writ petition is ordered accordingly. Sd/- C. S. DIAS
JUDGE SKP/31-05 APPENDIX OF WP(C) 6549/2023 PETITIONERS EXHIBITS:
EXHIBIT P1 TRUE COPY OF THE REGULAR PERMIT ON THE ROUTE ERNAKULAM KARSHAKAROAD-KOVILKADAVU DATED NIL ISSUED TO THE PETITIONER WITH LEGIBLE COPY. EXHIBIT P2 A TRUE COPY OF THE SCHEME NOTIFICATION NO. GO[P] NO.8/2017/TRANS DATED 23.3.2017. EXHIBIT P3 TRUE COPY OF THE JUDGMENT DATED 12.1.2022 IN W.P.C.NO.14788 OF 2020. EXHIBIT P4 TRUE COPY OF THE ORDER DATED 14.7.2022 IN W.A.NO.887 OF 2022. EXHIBIT P5 A TRUE COPY OF THE ORDER NO. B1/136/2022-TRAN DATED 31.10.2022. EXHIBIT P6 A TRUE COPY OF THE TEMPORARY PERMIT ISSUED TO THE PETITIONER DATED 10.11.2022. EXHIBIT P7 TRUE COPY OF THE SAID JUDGMENT IN WP[C] NO.29105/2022 DATED 14.9.2022. EXHIBIT P8 A TRUE COPY OF THE SAID APPLICATION FOR TEMPORARY PERMIT SUBMITTED BY THE PETITIONER DATED 23.02.2023. RESPONDENTS' EXHIBITS:NIL TRUE COPY P.A.TO JUDGE

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