

Anithan.K.P vs the Secretary

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Court : Kerala

Decided On : Mar-23-2020

Judge : Honourable Dr. Justice a.K.Jayasankaran Nambiar

Appeal No. : WP(C)/9295/2020

Appellant : Anithan.K.P

Respondent : The Secretary

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR MONDAY, THE 23RD DAY OF MARCH 2020 / 3RD CHAITHRA, 1942 WP(C).No.9295 OF 2020 PETITIONER/S: ANITHAN.K.P, S/O.PRABHAKARAN KAROTT HOUSE, VARKALA P.O. MANNAMPETTA, THRISSUR BY ADV. SRI.I.DINESH MENON RESPONDENT/S: THE SECRETARY REGIONAL TRANSPORT AUTHORITY THRISSUR, COLLECTORATE P.O. THRISSUR - 680003 SR.G.P.K.P.HARISH THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 23.03.2020, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: WP(C).No.9295 OF 2020 2

JUDGMENT

The petitioner has preferred Ext.P3 application for replacement of the

vehicle to operate under a permit. It is stated that the respondent has not considered the application citing the reason that the vehicle offered for replacement is taken on lease by the petitioner. It is submitted by the learned counsel for the petitioner that the mere fact that the vehicle that is offered for substitution is taken on lease, cannot be a reason to deny the permission for replacement, as made clear in Ext.P4 judgment of this Court.

Taking note of the said submission and after hearing the learned

Government Pleader, I dispose the writ petition by directing the respondents to consider Ext.P3 application for replacement of the vehicle, and permit the same if it is otherwise in order, taking note of Ext.P4 judgment of this Court, within a period of one month from the date of receipt of a copy of this judgment. The petitioner shall produce a copy of the writ petition together with a copy of this judgment, before the respondent, for further action.

Sd/- A.K.JAYASANKARAN NAMBIAR JUDGE sd WP(C).No.9295 OF 2020 3
APPENDIX PETITIONER'S EXHIBITS

EXT.P1 COPY OF THE REGULAR PERMIT ISSUED TO THE PETITIONEREXT

19.03.2020 EXT.P4 COPY OF THE JUDGMENT REPORTED IN 2010(1)KLT 758

EXT.P5 COPY OF THE JUDGMENT IN W.P.(c)NO.5304/2020 DATED
25.02.2020 sd

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