

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE ANTONY DOMINIC**

**FRIDAY, THE 30TH NOVEMBER 2007 / 9TH AGRAHAYANA 1929**

**W.P(C).No. 29658 of 2007(E)**  
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**PETITIONER:**

**SABU XAVIER, KUNNEL HOUSE,  
CHERUKOLE P.O., MAVELIKKARA.**

**BY ADV. SRI.G.PRABHAKARAN**

**RESPONDENTS:**

- 1. THE SECRETARY, REGIONAL TRANSPORT  
AUTHORITY, ALAPPUZHA.**
- 2. THE REGIONAL TRANSPORT AUTHORITY,  
ALAPPUZHA.**

**ADDL. RESPONDENTS 3 & 4:**

- 3. D. REGUNATHAN PILLAI, VENGASHERIL,  
PATHIYOOR P.O., KAYAMKULAM.**
- 4. P. CHANDRA BABU,  
GOPALAKRISHNA MANDIRAM, MAVELIKKARA.**

**ADDL. RESPONDENTS 3 AND 4 ARE IMPEADED AS PER ORDER  
DATED 31.10.2007 IN I.A. No. 14274 OF 2007**

**BY ADV. SRI.STALIN PETER DAVIS  
GOVT. PLEADER, SRI.I.V. PRAMOD**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 23/11/2007, THE COURT ON 30/11/2007 DELIVERED THE  
FOLLOWING:**

**ANTONY DOMINIC, J.**

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**W.P.(C) No. 29658 OF 2007 E**  
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**Dated this the 30<sup>th</sup> day of November, 2007**

**J U D G M E N T**

The prayer made in this writ petition is to direct respondent to issue temporary permit to the petitioner by considering Ext.P2 application made. Petitioner submits that Ext.P2 is an application made for temporary permit for 20 days and that his application for regular permit (Ext.P4) is also pending. It is on this premise that the writ petition has been filed, seeking an order directing grant of temporary permit. A perusal of Ext.P2 shows that the petitioner was seeking 20 days permit from the date of issue although the need highlighted in the writ petition is Ramzan festival season, which is over long ago.

2. Respondent No.1 has filed a counter affidavit where it has referred to the proceedings of the RTA meeting held on 9/2/07 and 20/9/07 when the applications made by the petitioner under Section 104 and 87(1)(d) were rejected by the RTA itself. It is according to the respondent, it is without disclosing all these facts, that this writ petition has been filed.

3. Be that as it may, the respondent in para 8 of the affidavit itself has stated of having received Ext.P2 and that the application will be considered as and when records are produced by the petitioner. If that be so, having received Ext.P2, it is up to the respondent to consider the application and pass orders in accordance with law.

With these observation, writ petition is disposed of.

**ANTONY DOMINIC  
JUDGE**

Rp/-