

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

**PRESENT:**

**THE HONOURABLE MR. JUSTICE ANIL K.NARENDRA**

**TUESDAY, THE 30TH DAY OF DECEMBER 2014/9TH POUSHA, 1936**

**WP(C).No. 35419 of 2014 (B)**  
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**PETITIONERS:**  
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1. P.GANGADHARAN,  
KARAKKOTU PURA, THEKKANKUNNAM, KOTTEKKAD P.O.  
PIN-678732, PALAKKAD.
2. P.SOMAN,  
KARAKOTTU PURA, THEKKANKUNNAM,  
KOTTEKKAD P.O.  
PIN-678732, PALAKKAD.

**BY ADVS.SRI.P.SANTHOSH KUMAR  
SRI.T.P.SAJAN**

**RESPONDENTS:**  
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1. THE SECRETARY  
REGIONAL TRANSPORT AUTHORITY, PALAKKAD.
2. K.S.SENTHIL ARASU  
7/187(1), SAI SADHAN, KOPPAM  
PALAKKAD, PIN-678001.

**R BY GOVERNMENT PLEADER, SMT.SHERIN.C.K.**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON  
30-12-2014, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

WP(C).No. 35419 of 2014 (B)  
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**APPENDIX**

**PETITIONER(S)' EXHIBITS**  
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**EXHIBIT P1- TRUE COPY OF THE TIME SCHEDULE OF THE FIRST  
PETITIONER'S VEHICLE KL-13 J 691.**

**EXHIBIT P2- TRUE COPY OF THE TIME SCHEDULE OF THE 2ND  
RESPONDENT VEHICLE (OLD VEHICLE KL-10-9500).**

**EXHIBIT P3- TRUE COPY OF THE PROCEEDINGS OF THE FIRST  
RESPONDENT SHOWING THE TIME SCHEDULE OF THE 2ND  
RESPONDENT VEHICLE KL-9 M 7454.**

**EXHIBIT P4- TRUE COPY OF THE REPRESENTATION DATED 25-10-2014  
SUBMITTED BY THE FIRST PETITIONER.**

**EXHIBIT P5- TRUE COPY OF THE REPRESENTATION DATED 25-10-2014  
SUBMITTED BY THE 2ND PETITIONER.**

**RESPONDENT(S)' EXHIBITS**  
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**NIL**

**//TRUE COPY//**

**PA TO JUDGE**

**ANIL K. NARENDRA, J.**

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**W.P.(C)No.35419 OF 2014**  
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Dated this the 30<sup>th</sup> day of December, 2014

**JUDGMENT**

The petitioners are regular stage carriage operators. The first petitioner is operating regular service on the route Padalikkad - Palakkad - Kannanore with the vehicle KL13-J 691 and the second petitioner is operating on the route Padalikkad - Palakkad - Venoli - Thachamkad with the vehicle KL13-J 379. They are operating services with a settled set of timings for the last several years without creating time clashes with any other services. The second respondent was operating a regular service on the route Palakkad - Kottekad with his vehicle KL-09-M 7454 with a settled set of timings. Subsequently, he was granted with a variation of route extending two kilometers from Kottekad to Padalikkad with trips Palakkad - Malampuzha via Chunnambuthara, Olavakkod and Akaththethara.

2. The grievance of the petitioners is that after the variation of the route, the timing slots allotted to the third respondent has resulted in acute time clash with the service operated by the

petitioners creating unhealthy competition and financial crisis. Petitioners filed Exts.P4 and P5 representations before the first respondent for redressal of their grievance. It is seeking disposal of the said representations, petitioners are before this Court in this writ petition.

3. Heard the arguments of the learned counsel for the petitioner and also the learned Government Pleader appearing for the first respondent.

In the facts and circumstances of the case, this writ petition is disposed of directing the first respondent to consider and pass appropriate orders on Exts.P4 and P5 representations submitted by the petitioners to settle the timings, as expeditiously as possible, at any rate, within a period of three months from the date of receipt of a certified copy of this judgment, with notice to the petitioner and the second respondent.

*Sd/-*  
**ANIL K. NARENDRAN,**  
**Judge**

*jes*