

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.B.SURESH KUMAR

FRIDAY, THE 31ST DAY OF MARCH 2017/10TH CHAITHRA, 1939

WP(C).No. 4472 of 2017 (H)

PETITIONER(S) :

HAMEED V.M. ,
S/O.MUHAMMED,
VALIYAPEEDIKAKKIL HOUSE,NELLIPOYIL,
MOOTHEDAM.P.O. , EDAKKARA,
MALAPPURAM DISTRICT-679331

BY ADV. SRI.SAJU J.VALLYARA

RESPONDENT(S) :

1. THE UNION OF INDIA
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
MINISTRY OF ROAD TRANSPORT AND HIGHWAYS,
NEW DELHI-110 001
2. THE TRANSPORT COMMISSIONER
TRANSPORT BHAVAN,
VAZHUTHAKAD, THIRUVANANTHAPURAM-695 014
3. THE ADDITIONAL REGISTERING AUTHORITY
(JOINT REGIONAL TRANSPORT OFFICER) ,
NILAMBUR, MALAPPURAM DISTRICT-676505

R1 BY SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL
SRI.H.GOPAKUMAR, CGC

R2-R3 BY SPL. GOVERNMENT PLEADER SRI. P.SANTHOSH KUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 31-03-2017, ALONG WITH WPC.5068/2017 AND CONNECTED
CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

SKG

APPENDIX

PETITIONER(S) ' EXHIBITS

- P1 PHOTOCOPY OF THE SALE CERTIFICATE DATED 3.10.2016 ISSUED TO
 THE PETITIONER
- P2 PHOTOCOPY OF THE TEMPORARY CERTIFICATE OF REGISTRATION
 DATED 5.10.2016 ISSUED BY THE ADDITIONAL REGISTERING
 AUTHORITY, MALAPPURAM
- P3 PHOTOCOPY OF THE CERTIFICATE OF ACCREDITATION ISSUED TO
 M/S.BHEEMA COACH BUILDERS BY THE AUTOMOTIVE RESEARCH
 ASSOCIATION OF INDIA(ARAI)
- P4 PHOTOCOPY OF THE NOTIFICATION DATED 18.1.2016 ISSUED BY THE
 1ST RESPONDENT
- P5 PHOTOCOPY OF THE NOTIFICATION DATED 20.9.2016 ISSUED BY THE
 1ST RESPONDENT
- P6 PHOTOCOPY OF THE COMMUNICATION DATED 5.1.2017 ISSUED BY THE
 2ND RESPONDENT
- P7 PHOTOCOPY OF THE APPLICATION FOR REGISTRATION OF VEHICLE
 SUBMITTED BY THE PETITIONER BEFORE THE 3RD RESPONDENT DATED
 6.2.2017

RESPONDENT(S) ' EXHIBITS

NIL

/TRUE COPY/

P.S.TO JUDGE

SKG

P.B.SURESH KUMAR, J.

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**W.P.(C).Nos.4472, 5068, 5069,
5070, 5251 & 5392 of 2017.**

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Dated this the 31st day of March, 2017.

J U D G M E N T

The issue raised in these cases is covered by the decision of this Court in W.P.(C).No.854 of 2017 and connected cases. In the light of the said judgment, these writ petitions are allowed and the registering authorities are directed to register the vehicles owned by the petitioners, if those are models of vehicles existing as on 01.10.2014. If those are models of vehicles introduced by the manufacturers after 01.10.2014, the registering authorities shall register the same only if they conform to the parameters and requirements of AIS:052 (Revision 1)-2008, as amended from time to time, except those mentioned in the table below the proviso to sub rule (1) of Rule 125C of

WPC 4472 /17 & con. cases.

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the Central Motor Vehicles Rules. The interim orders passed in these cases will stand modified accordingly.

Sd/-
P.B.SURESH KUMAR,
JUDGE.

Kvs/-

// true copy //