

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE SATHISH NINAN

FRIDAY, THE 29TH DAY OF OCTOBER 2021 / 7TH KARTHIKA, 1943

WP (C) NO. 22860 OF 2021

PETITIONER:

PRAKASAN, S/O RAMAN, HOUSE NO.14/462,
MANNALI HOUSE, CHERAI, NORTH PARAVUR, ERNAKULAM.

BY ADV PRASAD CHANDRAN

RESPONDENTS:

1 THE SECRETARY, REGIONAL TRANSPORT AUTHORITY,
ERNAKULAM, OFFICE OF THE REGIONAL TRANSPORT OFFICER,
CIVIL STATION, KAKKANAD, ERNAKULAM, PIN-682030.

2 K.V. SREEKUMAR, KATTUKARAN HOUSE, KUZHUPPILLY,
AYYAMPILLY. P.O, NORTH PARAVUR, PIN-682501.

SR. GP SMT. SHEEJA C.S

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
29.10.2021, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

The petitioner is a stage carriage operator. He was allotted with a settled set of timings in the year 2009. The 2nd respondent is another stage carriage operator on similar route. His timings were settled on 12.12.2019 with due notice to the interested. The petitioner has now submitted Ext P2 objections against the timings of the 2nd respondent on allegations of clash and competition. He seeks for a consideration of Ext.P2.

2. Heard.

3. It is made clear that it is for the 1st respondent to satisfy himself as to whether timing conference needs to be held or not.

The timings of the 2nd respondent having been settled only in the year 2019, it is for the 1st respondent to consider as to whether, on the factual situation prevailing, a timing conference needs to be convened or not. To decide on the same, the 2nd respondent shall also be heard. On the materials, if

the 1st respondent feels that a timing conference needs to be convened, then the same shall be done with notice to all interested. Since it is reported that Ext.P2 is yet to be received in the office of the 1st respondent, the petitioner shall make available a copy of the writ petition to the 1st respondent along with a copy of the judgment, for compliance.

Sd/-

SATHISH NINAN

JUDGE

vdv

APPENDIX OF WP(C) 22860/2021

PETITIONER EXHIBITS

Exhibit P1 TRUE COPY OF THE PROCEEDINGS OF THE
TIMING OF THE PETITIONER'S SERVICE
DATED 18.12.2009.

Exhibit P2 TRUE COPY OF THE OBJECTION SUBMITTED
BY THE PETITIONER DATED 11.12.2020.