

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE SATHISH NINAN

FRIDAY, THE 29<sup>TH</sup> DAY OF OCTOBER 2021 / 7<sup>TH</sup> 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 2<sup>nd</sup> 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 2<sup>nd</sup> 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 1<sup>st</sup> respondent to satisfy himself as to whether timing conference needs to be held or not.

The timings of the 2<sup>nd</sup> respondent having been settled only in the year 2019, it is for the 1<sup>st</sup> 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 2<sup>nd</sup> respondent shall also be heard. On the materials, if

the 1<sup>st</sup> 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 1<sup>st</sup> respondent, the petitioner shall make available a copy of the writ petition to the 1<sup>st</sup> 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.