

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE MURALI PURUSHOTHAMAN

FRIDAY, THE 28<sup>TH</sup> DAY OF APRIL 2023 / 8TH VAISAKHA, 1945

WP(C) NO. 14662 OF 2023

**PETITIONER/S:**

SARFUDHEEN, S/O MUHAMMED,  
AGED 45 YEARS  
CHENGANAMKATTIL HOUSE, PUTHUPPALLI, PURATHOOR, TIRUR,  
MALAPPURAM., PIN - 676107  
BY ADV I.DINESH MENON

**RESPONDENT/S:**

THE SECRETARY  
REGIONAL TRANSPORT AUTHORITY, REGIONAL TRANSPORT  
OFFICE, CIVIL STATION P.O., MALAPPURAM., PIN - 676505

BY SRI. JIMMY GEORGE, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON  
28.04.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**JUDGMENT**

The petitioner, who is an existing Stage Carriage Operator, operating a Stage Carriage on the basis of a Regular Permit on the route Malappuram - Kavalakkad, is before this Court seeking to direct the respondent-Secretary, Regional Transport Authority to include the petitioner's application for variation of conditions of Permit on the route Malappuram - Kavalakkad in the Regional Transport Authority meeting.

2. The petitioner states that he has submitted an application for variation of conditions of Permit. The delay in considering the application is causing untold hardship to the petitioner.

3. I have heard the learned counsel for the petitioner and the learned Government Pleader representing the respondents.

4. The application for variation of the conditions of Permit filed by the petitioner is under Rules 174 and 179 of the Kerala Motor Vehicles Rules, 1989. The application being statutory in nature, the same has to be considered by the competent authority within a reasonable time. In the facts and circumstances of the case, the writ

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petition is disposed of directing the 1st respondent-Regional Transport Authority to consider the application and pass appropriate orders thereon, within a period of one month.

**Sd/ -**

**MURALI PURUSHOTHAMAN  
JUDGE**

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29.04.2023

**APPENDIX OF WP(C) 14662/2023**

**PETITIONER EXHIBITS**

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| Exhibit P1 | TRUE COPY OF THE BASIC PERMIT VALID TILL<br>22.3.2026 DATED 5.1.2022.                      |
| Exhibit P2 | A TRUE COPY OF THE JUDGMENT IN WP[C]<br>NO.2832/2023 DATED 30.01.2023.                     |
| Exhibit P3 | A TRUE EXTRACT OF THE DECISION OF THE<br>RTA MALAPPURAM DATED 14.2.2023 IN ITEM<br>NO.191. |
| Exhibit P4 | A TRUE COPY OF THE JUDGMENT IN WP[C]<br>NO.12150/2020 DATED 3.7.2020.                      |