

WP(C) NO. 17429 OF 2025  
& connected cases

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2025:KER:65709



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.

WEDNESDAY, THE 27<sup>th</sup> DAY OF AUGUST 2025 / 5TH BHADRA, 1947

WP(C) NO. 17429 OF 2025

PETITIONER:

KERALA TAXI DRIVERS ORGANIZATION [ KTD0],  
AGED 51 YEARS,  
REPRESENTED BY ITS SECRETARY, BAHULAYAN A.P,  
S/O PARAMESWARAN, ROOM NO.1,/4899 T, C.H.CROSS  
ROAD, EAST NADAKKAVU, KOZHIKKODE, RESIDING AT  
AIKKARASSERY HOUSE, IRUNNILAMKODE P.O.,  
MULLURKKARA, THRISSUR DISTRICT, PIN - 680583

BY ADVS. SHRI.ASOK KUMAR K.P.  
SHRI.ABDUL HAMEED RAFI  
SHRI.RAKESH S MENON

RESPONDENTS:

- 1 THE STATE OF KERALA,  
REPRESENTED BY CHIEF SECRETARY,  
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM,  
PIN - 695001
- 2 THE STATE TRANSPORT AUTHORITY,  
REPRESENTED BY ITS SECRETARY, TRANSPORT  
COMMISSIONERATE, VAZHUTHAKKAD,  
THIRUVANANTHAPURAM, PIN - 695014
- 3 THE TRANSPORT SECRETARY,  
GOVERNMENT OF KERALA, ROOM NO. 391, 1ST FLOOR,  
MAIN BLOCK, GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM, PIN - 695001

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**4 THE TRANSPORT COMMISSIONER,  
TRANSPORT COMMISSIONERATE, VAZHUTHAKKAD,  
THIRUVANANTHAPURAM, PIN - 695001**

**BY SR. GOVERNMENT PLEADER SMT. SURYA BINOY**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR HEARING  
ON 13.08.2025, ALONG WITH WP(C).12378/2025, 15181/2025 AND  
CONNECTED CASES, THE COURT ON 27.08.2025 DELIVERED THE  
FOLLOWING:**



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.

WEDNESDAY, THE 27<sup>th</sup> DAY OF AUGUST 2025 / 5TH BHADRA, 1947

WP(C) NO. 12378 OF 2025

PETITIONERS:

- 1 M.S. PREMKUMAR, AGED 70 YEARS,  
S/O SANKARANKUTTY, MANAMMAL HOUSE, MSM TRANSPORT,  
KONATHUKUNNU, THRISSUR, PIN - 680123
- 2 C.A. FRANCIS, AGED 65 YEARS,  
S/O ANTHONY, CHALLISSERY HOUSE, PERINGOTTUKKARA,  
THRISSUR, PIN - 680565
- 3 C.A. JOY, AGED 57 YEARS,  
S/O ANTHONY, CHALLISSERY HOUSE, PERINGOTTUKKARA,  
THRISSUR, PIN - 680565

BY ADVS. SRI.RILGIN V.GEORGE  
SHRI.K.T.RAVEENDRAN  
SMT.AKSHARA K.P.  
SMT.MEERA J. MENON  
SMT.ARATHY P.S.  
SMT.ANAGHA MANOJ

RESPONDENTS:

- 1 STATE OF KERALA,  
REPRESENTED BY ITS CHIEF SECRETARY, GOVERNMENT  
SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695001
- 2 THE STATE TRANSPORT AUTHORITY,  
REPRESENTED BY ITS SECRETARY, TRANSPORT

WP(C) NO. 17429 OF 2025  
& connected cases

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COMMISSIONERATE, VAZHUTHACAUD,  
THIRUVANANTHAPURAM, PIN - 695014

3 THE TRANSPORT SECRETARY,  
GOVERNMENT OF KERALA, ROOM NO. 391, 1ST FLOOR,  
MAIN BLOCK, GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM, PIN - 695001

4 THE TRANSPORT COMMISSIONER,  
TRANSPORT COMMISSIONERATE, VAZHUTHACAUD,  
THIRUVANANTHAPURAM, PIN - 695014

BY SR. GOVERNMENT PLEADER SMT. SURYA BINOY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR HEARING  
ON 13.08.2025, ALONG WITH WP(C).17429/2025 AND CONNECTED  
CASES, THE COURT ON 27.08.2025 DELIVERED THE FOLLOWING:

WP(C) NO. 17429 OF 2025  
& connected cases

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.

WEDNESDAY, THE 27<sup>th</sup> DAY OF AUGUST 2025 / 5TH BHADRA, 1947

WP(C) NO. 15181 OF 2025

PETITIONER:

HEADMASTER, PKMM HIGHER SECONDARY SCHOOL,  
EDARIKODE, P.O. EDARIKODE, MALAPPURAM DISTRICT,  
PIN - 676501

BY ADVS. SRI.M.R.ANISON  
SHRI.PRASAD CHANDRAN  
SMT.P.A.RINUSA  
SMT.ANNIE JACOB  
SMT.DONA MARGRET P.R.  
SMT.ANAGHA RENJITH V.R.  
SMT.M.U.SOORYA

RESPONDENTS:

- 1 STATE OF KERALA, REPRESENTED BY ITS SECRETARY TO  
GOVERNMENT, TRANSPORT DEPARTMENT, SECRETARIAT,  
THIRUVANANTHAPURAM, PIN - 695001
- 2 THE STATE TRANSPORT AUTHORITY REPRESENTED BY ITS  
SECRETARY, TRANSPORT COMMISSINERATE,  
VAZHUTHACAUD, THIRUVANANTHAPURAM, PIN - 695014
- 3 THE SUB REGIONAL TRANSPORT OFFICER,  
OFFICE OF THE SUB REGIONAL TRANSPORT OFFICE,  
THIRURANGADI, MALAPPURAM, PIN - 676505

WP(C) NO. 17429 OF 2025  
& connected cases

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2025:KER:65709



**BY SR. GOVERNMENT PLEADER SMT. SURYA BINOY**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR HEARING  
ON 13.08.2025, ALONG WITH WP(C).17429/2025 AND CONNECTED  
CASES, THE COURT ON 27.08.2025 DELIVERED THE FOLLOWING:**

WP(C) NO. 17429 OF 2025  
& connected cases

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.

WEDNESDAY, THE 27<sup>th</sup> DAY OF AUGUST 2025 / 5TH BHADRA, 1947

WP(C) NO. 15942 OF 2025

PETITIONER:

TRAVEL OPERATORS ASSOCIATION OF KERALA (TOAK) ,  
AGED 48 YEARS, REP. BY ITS PRESIDENT  
MR. ARUN M.N. , SAVITHA NIVAS, KACHAPILLY ROAD,  
VYTILA, PIN - 682019

BY ADV SMT.S.SREEJA

RESPONDENTS:

- 1 THE STATE OF KERALA,  
REPRESENTED BY CHIEF SECRETARY,  
GOVERNMENT SECRETARIATE, THIRUVANANTHAPURAM,  
PIN - 695001
- 2 THE STATE TRANSPORT AUTHORITY,  
REPRESENTED BY ITS SECRETARY, TRANSPORT  
COMMISSIONERATE, VAZHUTHACAUD, THIRUVANTHAPURAM,  
PIN - 695014
- 3 THE TRANSPORT SECRETARY,  
GOVERNMENT OF KERALA, ROOM NO. 391, 1ST FLOOR,  
MAIN BLOCK, GOVERNMENT SECRETARIATE,  
THIRUVANANTHAPURAM, PIN - 695001
- 4 THE TRANSPORT COMMISSIONER,  
TRANSPORT COMMISSIONERATE, VAZHUTHACAUD,  
THIRUVANTHAPURAM, PIN - 695001

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& connected cases

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BY SR. GOVERNMENT PLEADER SMT. SURYA BINOY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR HEARING  
ON 13.08.2025, ALONG WITH WP(C).17429/2025 AND CONNECTED  
CASES, THE COURT ON 27.08.2025 DELIVERED THE FOLLOWING:



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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.

WEDNESDAY, THE 27<sup>th</sup> DAY OF AUGUST 2025 / 5TH BHADRA, 1947

WP(C) NO. 16924 OF 2025

PETITIONERS:

- 1 UNAIDED SCHOOLS PROTECTION COUNCIL,  
REG. NO. TVM/TC/139/2024, REPRESENTED BY ITS  
GENERAL SECRETARY SRI. P.S. RAMACHANDRAN  
PILLAI, ST: MARY'S RC SCHOOL, MUDAVANMUGAL,  
KESARI NAGAR, ARAMADA P.O., THIRUVANANTHAPURAM,  
RESIDING AT VAIRIYAMMURIYIL, PUTHENVEEDU,  
VENMANI P.O., CHENGANNUR, ALAPPUZHA, PIN - 689509
- 2 THE MANAGER, PADMASREE CENTRAL SCHOOL,  
ENATH P.O., ADOOR, PATHANAMTHITTA, PIN - 691526

BY ADVS. SRI.P.MOHANDAS (ERNAKULAM)  
SRI.K.SUDHINKUMAR  
SRI.SABU PULLAN  
SRI.GOKUL D. SUDHAKARAN  
SHRI.R.BHASKARA KRISHNAN  
SHRI.BHARATH MOHAN  
DR.K.P.SATHEESAN (SR.)

RESPONDENTS:

- 1 STATE OF KERALA,  
REPRESENTED BY THE SECRETARY, TRANSPORT  
DEPARTMENT, GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM, PIN - 695001

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2 THE STATE TRANSPORT AUTHORITY,  
REPRESENTED BY ITS SECRETARY,  
TRANSPORT COMMISSIONERATE, VAZHUTHACAUD,  
THIRUVANANTHAPURAM, PIN - 695014

3 THE TRANSPORT COMMISSIONER,  
TRANSPORT COMMISSIONERATE, VAZHUTHACAUD,  
THIRUVANANTHAPURAM, PIN - 695014

BY SR. GOVERNMENT PLEADER SMT. SUYRA BINOY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR HEARING  
ON 13.08.2025, ALONG WITH WP(C).17429/2025 AND CONNECTED  
CASES, THE COURT ON 27.08.2025 DELIVERED THE FOLLOWING:

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& connected cases

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.

WEDNESDAY, THE 27<sup>th</sup> DAY OF AUGUST 2025 / 5TH BHADRA, 1947

WP(C) NO. 18217 OF 2025

PETITIONER:

JOMY DEVASSY, AGED 45 YEARS,  
S/O DEVASSY KUTTY, MANJOORAN HOUSE,  
ERUMATHALA P.O., CHUNANGAMVELY, ALUVA,  
ERNAKULAM DISTRICT., PIN - 683113

BY ADV SHRI.SAJEEV KUMAR K.GOPAL

RESPONDENTS:

- 1 REGIONAL TRANSPORT AUTHORITY,  
2ND FLOOR, CIVIL STATION, KAKKANAD,  
THRIKKAKKARA PO, ERNAKULAM DISTRICT,  
REPRESENTED BY ITS SECRETARY., PIN - 682030
- 2 THE SECRETARY,  
REGIONAL TRANSPORT AUTHORITY, 2ND FLOOR,  
CIVIL STATION, KAKKANAD, THRIKKAKKARA PO,  
ERNAKULAM DISTRICT., PIN - 682030
- 3 THE STATE TRANSPORT AUTHORITY,  
TRANS TOWERS, VAZHUTHACAUDE P.O.,  
THIRUVANANTHAPURAM, REPRESENTED BY ITS  
SECRETARY., PIN - 695014

BY SR. GOVERNMENT PLEADER SMT. SURYA BINOY

WP(C) NO. 17429 OF 2025  
& connected cases

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**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR HEARING  
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CASES, THE COURT ON 27.08.2025 DELIVERED THE FOLLOWING:**

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.

WEDNESDAY, THE 27<sup>th</sup> DAY OF AUGUST 2025 / 5TH BHADRA, 1947

WP(C) NO. 19647 OF 2025

PETITIONERS:

- 1 JASMINE T.J., AGED 39 YEARS,  
W/O FIRSHAN FRANCIS XAVIER, KURISHINKAL HOUSE,  
CHELLANAM, KOCHI, ERNAKULAM, PIN - 682008
- 2 LEYA JOSEPH, AGED 45 YEARS,  
W/O GEORGE, PUTHANPURAKKAL HOUSE,  
MATTANCHERRY TOWN, KOCHI, ERNAKULAM, PIN - 682002
- 3 NAJEEB K.A., AGED 58 YEARS,  
S/O ABDUL MAJEED, KENAL HOUSE, KAMBIVELIKKAKAM,  
VAZHAKKALA, KAKKANAD, ERNAKULAM, PIN - 682030
- 4 BALAKRISHNAN K.S., AGED 59 YEARS,  
S/O SREEDHARAN, KURUVATH HOUSE, PAULS APARTMENTS,  
RMV ROAD, ELAMAKKARA, ERNAKULAM, PIN - 682026
- 5 RAJESH K.R., AGED 40 YEARS,  
S/O K.K. RAJAN, KAMBIVELIKKAKATH HOUSE,  
CHELLANAM, ERNAKULAM, PIN - 682008
- 6 HARIS M. PALACKAL, AGED 48 YEARS,  
S/O MUHAMMED, PALACKAL, PALLILAMKARA,  
HMT COLONY, ERNAKULAM, PIN - 683503

BY ADV SMT.NAZRIN BANU



**RESPONDENTS:**

- 1 THE STATE OF KERALA,  
REPRESENTED BY ITS SECRETARY, MINISTRY OF  
TRANSPORT, GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM, PIN - 695001
- 2 THE STATE TRANSPORT AUTHORITY,  
REPRESENTED BY ITS SECRETARY, TRANSPORT  
COMMISSIONERATE, VAZHUTHACAUD,  
THIRUVANANTHAPURAM, PIN - 695014
- 3 THE TRANSPORT SECRETARY,  
GOVERNMENT OF KERALA, ROOM NO. 391,  
1 ST FLOOR, MAIN BLOCK, GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM, PIN - 695001
- 4 THE TRANSPORT COMMISSIONER,  
TRANSPORT COMMISSIONERATE,  
VAZHUTHACAUD, THIRUVANANTHAPURAM, PIN - 695014

BY SR. GOVERNMENT PLEADER SMT. SURYA BINOY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR HEARING  
ON 13.08.2025, ALONG WITH WP(C).17429/2025 AND CONNECTED  
CASES, THE COURT ON 27.08.2025 DELIVERED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.

WEDNESDAY, THE 27<sup>th</sup> DAY OF AUGUST 2025 / 5TH BHADRA, 1947

WP(C) NO. 19931 OF 2025

PETITIONERS:

- 1 MALAPPURAM DISTRICT BUS OPERATORS ORGANIZATION,  
REPRESENTED BY ITS SECRETARY,M.C. KUNHIPPA,  
S/O BEEYUTTY, AGED 49 YEARS,STAR COMPLEX,  
NEW BUS STAND, MANJERI, MALAPPURAM DISTRICT,  
PIN - 676501
- 2 MUSTHAFA KULATHUPADEEKAL, AGED 63 YEARS,  
S/O HAMZA,KULATHUPADEEKAL HOUSE, CHANDAKKUM P.O.,  
NILAMBUR,MALAPPURAM DISTRICT, PIN - 679329
- 3 SIVASANKARAN V.P., AGED 66 YEARS,  
S/O PARANGODAN,VALIYAPARACKAL HOUSE,  
EDARIKODE P.O.,MALAPPURAM DISTRICT, PIN - 676501

BY ADV SHRI.K.V.GOPINATHAN NAIR

RESPONDENTS:

- 1 THE PRINCIPAL SECRETARY,TRANSPORT DEPARTMENT,  
GOVERNMENT OF KERALA, ROOM NO.391, 1 ST FLOOR,  
MAIN BLOCK, GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM DISTRICT, PIN - 695001
- 2 THE STATE TRANSPORT AUTHORITY,  
REPRESENTED BY ITS SECRETARY,TRANSPORT  
COMMISSIONERATE, VAZHUTHACAUD,  
THIRUVANANTHAPURAM DISTRICT, PIN - 695014

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3 THE TRANSPORT COMMISSIONER,  
TRANSPORT COMMISSIONERATE, VAZHUTHACAUD,  
THIRUVANANTHAPURAM DISTRICT, PIN - 695014

BY SR. GOVERNMENT PLEADER SMT. SURYA BINOY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR HEARING  
ON 13.08.2025, ALONG WITH WP(C).17429/2025 AND CONNECTED  
CASES, THE COURT ON 27.08.2025 DELIVERED THE FOLLOWING:



WP(C) NO. 17429 OF 2025  
& connected cases

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.

WEDNESDAY, THE 27<sup>th</sup> DAY OF AUGUST 2025 / 5TH BHADRA, 1947

WP(C) NO. 22700 OF 2025

PETITIONER:

PAKEEZA KUNHIPPA, AGED 64 YEARS,  
S/O KOMUKUTTY HAJI , GENERAL SECRETARY,  
MALAPPURAM DISTRICT PRIVATE BUS OPERATORS  
ASSOCIATION, STAR TOWER NEAR NEW BUS STAND,  
PANDIKKAD ROAD MANJERI, RESIDING KARAKUNNU,  
MANJERI, MALAPPURAM DISTRICT, PIN - 676123

BY ADV SRI.O.D.SIVADAS

RESPONDENTS:

- 1 THE STATE TRANSPORT AUTHORITY,  
TRANS TOWERS, VAZHUTHACAUD P.O.,  
THIRUVANANTHAPURAM, REPRESENTED BY ITS SECRETARY,  
PIN - 695014
- 2 THE TRANSPORT COMMISSIONER,  
MOTOR VEHICLE DEPARTMENT, TRANS TOWER,  
VAZHUTHACAUD, THIRUVANANTHAPURAM, PIN - 695014
- 3 THE REGIONAL TRANSPORT AUTHORITY ,  
REPRESENTED BY ITS SECRETARY, CIVIL STATION,  
MALAPPURAM, PIN - 676121
- 4 THE SECRETARY,  
REGIONAL TRANSPORT AUTHORITY, CIVIL STATION,  
MALAPPURAM, PIN - 676121

WP(C) NO. 17429 OF 2025  
& connected cases

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2025:KER:65709

**BY SR. GOVERNMENT PLEADER SMT. SURYA BINOY**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR HEARING  
ON 13.08.2025, ALONG WITH WP(C).17429/2025 AND CONNECTED  
CASES, THE COURT ON 27.08.2025 DELIVERED THE FOLLOWING:**

WP(C) NO. 17429 OF 2025  
& connected cases

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.

WEDNESDAY, THE 27<sup>th</sup> DAY OF AUGUST 2025 / 5TH BHADRA, 1947

WP(C) NO. 22767 OF 2025

PETITIONER:

LAWRENCE BABU, AGED 62 YEARS,  
S/O, LAWRENCE, GENERAL SECRETARY, (REG NO.  
161/84), THE QUILON DISTRICT PRIVATE BUS OPERATORS  
ASSOCIATION, ANANDAVALLEESWARAM, KOLLAM, RESIDING  
SIJODALE, MANGAD, KOLLAM DISTRICT, PIN - 691015

BY ADV SRI.O.D.SIVADAS

RESPONDENTS:

- 1 THE STATE TRANSPORT AUTHORITY,  
TRANS TOWERS, VAZHUTHACAUD P.O.,  
THIRUVANANTHAPURAM, REPRESENTED BY ITS SECRETARY,  
PIN - 695014
- 2 THE TRANSPORT COMMISSIONER,  
MOTOR VEHICLE DEPARTMENT, TRANS TOWER,  
VAZHUTHACAUD, THIRUVANANTHAPURAM, PIN - 695014
- 3 THE REGIONAL TRANSPORT AUTHORITY,  
REPRESENTED BY ITS SECRETARY, CIVIL STATION,  
KOLLAM, PIN - 691001
- 4 THE SECRETARY,  
REGIONAL TRANSPORT AUTHORITY, CIVIL STATION,  
KOLLAM, PIN - 691001

WP(C) NO. 17429 OF 2025  
& connected cases

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2025:KER:65709



**BY SR. GOVERNMENT PLEADER SMT. SURYA BINOY**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR HEARING  
ON 13.08.2025, ALONG WITH WP(C).17429/2025 AND CONNECTED  
CASES, THE COURT ON 27.08.2025 DELIVERED THE FOLLOWING:**

WP(C) NO. 17429 OF 2025  
& connected cases

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2025:KER:65709



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.

WEDNESDAY, THE 27<sup>th</sup> DAY OF AUGUST 2025 / 5TH BHADRA, 1947

WP(C) NO. 25842 OF 2025

PETITIONER:

BIBIN T.ALAPPAT, AGED 45 YEARS,  
S/O.THOMAS, ALAPPATT HOUSE, PURANATTUKARA,  
THRISSUR DISTRICT, PIN - 680551

BY ADV SHRI.K.V.GOPINATHAN NAIR

RESPONDENTS:

- 1 THE PRINCIPAL SECRETARY, TRANSPORT DEPARTMENT,  
GOVERNMENT OF KERALA, ROOM NO.391, 1ST FLOOR,  
MAIN BLOCK, GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM DISTRICT, PIN - 695001
- 2 THE STATE TRANSPORT AUTHORITY,  
REPRESENTED BY ITS SECRETARY, TRANSPORT  
COMMISSIONERATE, VAZHUTHACAUD, THIRUVANANTHAPURAM  
DISTRICT, PIN - 695014
- 3 THE TRANSPORT COMMISSIONER,  
TRANSPORT COMMISSIONERATE, VAZHUTHACAUD,  
THIRUVANANTHAPURAM DISTRICT, PIN - 695014
- 4 REGIONAL TRANSPORT OFFICER,  
REGIONAL TRANSPORT OFFICE, AYYANTHOLE,  
THRISSUR DISTRICT, PIN - 680003

BY SR. GOVERNMENT PLEADER SMT. SURYA BINOY

WP(C) NO. 17429 OF 2025  
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2025:KER:65709

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR HEARING  
ON 13.08.2025, ALONG WITH WP(C).17429/2025 AND CONNECTED  
CASES, THE COURT ON 27.08.2025 DELIVERED THE FOLLOWING:**



**C.R**

**JUDGMENT**

[WP(C) Nos.17429/2025, 12378/2025, 15181/2025, 15942/2025, 16924/2025, 18217/2025, 19647/2025, 19931/2025, 22700/2025, 22767/2025, 25842/2025]

In this batch of writ petitions, W.P.(C) Nos. 17429, 19931, 25842, 22767, 22700, 19647, 18217, 15942, 15181, 16924 and 12378 of 2025, the petitioners, who are stage carriage operators, tourist taxi operators and educational institution bus operators, challenge the decisions of the State Transport Authority (hereinafter, “STA”) dated 24.01.2025 and the circular of Transport Commissioner dated 28.04.2025 mandating the installation of cameras with driver-fatigue detection sensors, production of Police Clearance Certificate (PCC) and the installation of geo-fencing facility. Since common questions of fact and law arise for consideration, these writ petitions are heard together and are being disposed of by this common judgment.



2. The petitioners in W.P.(C) Nos. 19931, 25842, 19647, 12378 of 2025 are aggrieved by the decision of the STA taken on 24.01.2025, by which three conditions were stipulated and made applicable to existing stage carriages with effect from 01.04.2025. These included: (i) production of police clearance certificates by the registered owner, driver, and conductor; (ii) installation of cameras with driver-fatigue detection sensors; and (iii) geo-fencing facility with a recorder. The petitioners essentially contend that this decision was taken without affording notice or an opportunity of hearing to any of the stakeholders. It is pointed out that the agenda for the meeting published on 09.01.2025 contained 20 items concerning renewal and variation of inter-state permits. However, on 23.01.2025, an additional agenda was prepared introducing departmental item No.3, without prior notice, for consideration of proposals relating to 503 formulated routes. While granting the formulated routes, it was decided that 14 permit conditions would



apply to such routes. The STA further incorporated Condition No.15, making conditions 1, 4, and 8 applicable to existing stage carriages with effect from 01.04.2025.

2.1. The petitioners also urge that the impugned action is in clear violation of Rules 123 and 140 of the Kerala Motor Vehicles Rule, which indicates that a notice has to be issued to those who are permitted to attend the meeting to make a representation. It is further submitted that under Section 68(3) of the Motor Vehicles Act, 1988, the power to frame rules vests exclusively with the State Government, and not with the STA. The conditions prescribed by the Government for the control of transport vehicles, and the authorities, while granting permits, may impose conditions only to the extent permitted by the statute. Under Section 72(2) of the Motor Vehicles Act, an authority may impose any of the 22 specified conditions, but under sub-rule (xxii), any variation of existing conditions or imposition of additional conditions can be effected only after giving notice to the permit holder of not less than one



month. The petitioners contend that this mandatory procedure has not been followed.

2.2. Pursuant to the STA's decision, the Transport Commissioner issued a circular dated 28.04.2025, directing that police clearance certificates be obtained for drivers, conductors, and door assistants as a condition for working in stage carriages. It is contended that such insistence is arbitrary and beyond the powers conferred under the Act. The petitioners also highlight the operational difficulties, pointing out that the insistence on PCC would create an acute scarcity of employees.

2.3. Apart from the common contentions in W.P.(C) No.19931 of 2025, the learned counsel for the petitioners, Sri. K.V. Gopinathan Nair argues that the circular issued by the Transport Commissioner requires the production of a PCC and receipt regarding the remittance of contribution to the Welfare Fund, which is impossible to perform in the usual course, and as a result, the operation of the stage carriage itself will become interrupted.

There are services operating in which the Motor Transport Workers Fund is not applied since the Provident Fund scheme covers certain firms. The circular of the Transport Commissioner was also issued without affording opportunity to the affected parties and without any application of mind. The Learned Counsel further argued that the subject matter in WP(C) No. 25842/2025 is a notice dated 22.05.2025 issued by RTO based on the decision of the STA and circular by the Transport Commissioner, insisting on the production of PCC in respect of the permit holder as well as workers for the purpose of accepting statutory application with the intimation that no service will be provided on non-production of the same, is highly arbitrary, improper and without any authority of law.

2.4. In W.P.(C) No.19647 of 2025, apart from the above contentions, Smt. Nazrin Banu, learned counsel for the petitioners, argued that the impugned decision is vitiated for want of notice, relying on the judgment of this Court in *Mohammed v. R.T.O*

**Malappuram** [1992 (2) KLT 781]. It is further submitted that the Motor Vehicles Act, 1988, and the Kerala Motor Vehicles Rules, 1989, already provide a complete statutory scheme governing the grant, renewal, disqualification, and revocation of drivers' and conductors' licences. Sections 19 and 31 to 34 of the Act, read with Rules 6, 7, 10, 14, 22, 49, 58, 66 and 67 of the Kerala Motor Vehicles Rules, contemplate the circumstances under which a license may be refused or revoked, the procedure to be followed, the requirement of affording an opportunity of hearing, and the availability of statutory appeals. In particular, Section 19 of the Act and Section 34 with Rule 67 of the Rules mandate that disqualification can be ordered only after recording reasons in writing and hearing the affected person.

2.5. In view of this elaborate framework, it is contended that the insistence on production of police clearance certificates through the above decisions amounts to an extraneous condition which overrides and supplants the statutory scheme, thereby



debarring licensed drivers and conductors from employment in stage carriages without any procedure or hearing. It is thus argued that the STA has no power at all to impose such conditions, and that the concerns now projected are already statutorily addressed under Section 72 of the Act and the allied Rules. The impugned orders, having been issued without notice, hearing, or statutory authority, are therefore illegal and unsustainable. The petitioners also contend that there are practical difficulties in the insistence on police clearance certificates, as even mere involvement in proceedings, without any conviction, is treated as a disqualification, which directly infringes the fundamental right to carry on an occupation under Article 19(1)(g) of the Constitution and cannot be justified as a reasonable restriction. It is further urged that civil disputes are often converted into criminal proceedings, and the circular itself recognises that certain categories, such as boundary disputes, family matters, or cheque cases, are excluded, thereby highlighting the unprincipled and selective nature of the



prescription. The condition, it is argued, amounts to executive legislation in clear contravention of the Motor Vehicles Act and the Rules. Apart from being ultra vires, the insistence on PCCs creates grave practical difficulties. Operators are compelled to periodically obtain certificates for every driver, conductor, and door attendant, even though the validity of a PCC is typically limited to six months. This, the petitioners submit, imposes an unworkable burden and substantially increases operational costs, thereby rendering compliance virtually impossible.

2.6. In W.P.(C) No.12378 of 2025, Sri. Rilgin V. George, apart from adopting the above contentions, argued that the stakeholders who will be vitally affected by the decision of the STA were not heard at all. He also relies on the judgment of this Court in ***Premalal v. Government of Kerala*** [2004 (3) KLT 48] to say that the action of the STA is totally without authority.

2.7. In W.P.(C) No.15181 of 2025, filed by the Headmaster of an Educational Institution, he complains about the direction to

install the cameras. It is also contended that the affected parties were not heard before passing the impugned decision.

2.8. The learned counsel for the petitioner, Sri. Sajeev Kumar K. Gopal in W.P.(C) No.18217 of 2025 argues that Rule 153 and 153A of the Kerala Motor Vehicles Rules take care of the situation, and the present directions of the STA are not required and in fact conflict with the statutory scheme.

2.9. The learned counsel appearing in W.P.(C) No.22700 of 2025 and W.P.(C) No.22767 of 2025, Sri. O.D. Sivadas also argued the lack of power and that the decisions were taken without hearing the affected parties.

2.10. Accordingly, the petitioners in W.P.(C) Nos.19931, 19647 and 25842 of 2025 seek to quash the STA decision dated 24.01.2025, while in W.P.(C) No.25842 of 2025 there is also a challenge to the Transport Commissioner's circular dated 28.04.2025 and the consequential notice dated 22.05.2025 issued by the RTO insisting upon production of PCC for acceptance of



statutory applications. The petitioners in W.P.(C) Nos. 22700 and 22767 of 2025 seek a declaration that the insistence on PCC as a condition for submitting applications for permits is unsustainable.

3. Opposing the writ petitions, the learned Senior Government Pleader Smt.Surya Binoy argues that the STA has ample power as seen from Section 68 of the Motor Vehicles Act. The argument that stakeholders were not heard also cannot be accepted as the insistence on PCC is on the driver, the conductor those employed and not on the owners of the stage carriage and in the absence of any one of them who is likely to be affected by the decisions of the STA maintaining a challenge, the plea of lack of notice put forth by the owners of the stage carriages cannot be entertained.

3.1. It is further argued that though the Government has the power under Section 67 of the Act, Section 68(3) gives power to the STA to take the decisions impugned in the writ petition. It is argued that all the decisions are made in the public interest and for





the public. It is further argued that the petitioner got sufficient time, as the impugned decision was taken in the month of January 2025, to take such steps to comply with the directions of the STA. It is also argued that the Motor Vehicles Act and Rules give ample power to the Transport Authorities to impose the conditions now introduced through the impugned orders. It is further submitted that the reasonableness and proportionality of the measures put in place by the impugned decision have to be examined from the perspective of the safety and convenience of the travelling public. The purpose, intent, and object of the Motor Vehicle Act, 1988, and the Rules thereunder are to promote the safety, well-being, and hassle-free commute for the travelling public. It is not to be examined based on the inconvenience, if any, caused to operators of the contract carriages/stage carriages. STA's decision was prompted by a significant rise in incidents involving road accidents attributed to driver negligence, rash driving, and increasing reports of harassment against students. The impugned decision, being like a



policy measure, is not amenable to judicial review except in cases where they are manifestly violative of any statutory provisions or the fundamental rights.

3.2. The learned Senior Government Pleader also relied on the judgments in *Calicut Islamic R.H.S School v. STA* [2004 KHC 807], *Surinder Singh v. Central Government and Others* [1986 (4) SCC 667], *Uttam T. Dhumal & Others v. Regional Transport Authority, Pune & Others* [2002 SCC Online Bom 803], *The Kerala State Private Bus Operators' Federation & Ors. v. The Transport Commissioner & Ors* [W.P.(C) No.36842 of 2023 dated 11.11.2024], *Kerala Bus Transport Association and another v. State of Kerala and another* [W.A. No.2030 of 2024 dated 20.01.2024], *Subhash Chandra and Others v. State of U.P. and Others* [1980 KHC 639], *Kasaragod District Bus Owners Association v. Regional Transport Authority* [2015 (1) KHC 156], *Raghavan v. R.T.O. Kollam* [2001 (2) KLT 209], *Sukumaran E.S and Others v. State of Kerala and Others* [2006 KHC 3742], *Union of India and Another v. Cynamide India Ltd. and Others* [1987 KHC 982], M.K

***Aravindakshan v. Regional Transport Officer & Others*** [WP(C) No.27379/2013 dated 05.02.2015]. On the above grounds, it is prayed that the writ petitions be dismissed.

4. Heard Sri. K.V. Gopinathan Nair, Sri.Nazrin Banu, Sri.Rilgin V. George, Sri. Prasad Chandran, Sri.Sajeev Kumar K. Gopal, Sri.O.D Sivadas, Sri. Asok Kumar K.P., Smt. S. Sreeja, Sri. P. Mohandas for the petitioners and the learned Senior Government Pleader, Smt. Surya Binoy and Sreejith V.S.

5. The primary issue raised is regarding the powers of the STA to insist that the permit holders of the stage carriages are to install cameras with driver fatigue detection sensors, enable a geo-fencing facility with a recorder, and obtain police clearance certificates for registered owners, drivers, and conductors. Yet another issue is the power of the Transport Commissioner to issue a circular clarifying the requirement of a police clearance certificate.

6. About the issue raised by petitioners on camera installation in the stage carriages, contract carriages and



educational buses, it is averred in the counter affidavit filed by the 2<sup>nd</sup> respondent that the requirement of installing three surveillance cameras, at the front, rear, and interior of all educational institution buses, which was initially made effective from 01.04.2025 pursuant to the decision of the State Transport Authority dated 24.01.2025, was subsequently extended taking note of the objections raised in the meeting held on 30.05.2025. All stakeholders, including representatives of unaided schools and school vehicle operators, were invited and allowed to express their concerns at the above-mentioned STA meeting. The directions were finalised only after such consultation. Accordingly, the said requirement was directed to take effect only from 01.08.2025. From this date onwards, this mandate will become part of the certificate of fitness and bus permit conditions. Vehicles failing to comply with these requirements shall not be eligible for mandatory fitness certification or valid permit issuance.



7. It is further stated that in W.P.(C) No.17429 of 2025, wherein the sole relief sought by the petitioner was to keep in abeyance the Ext.P4 order mandating the installation of cameras for a period of six months. The STA, by its decision dated 30.05.2025, extended the time for compliance up to 10.10.2025. Likewise, in W.P.(C) No.15942 of 2025, the relief sought was identical, namely, to keep in abeyance the said order for six months to enable the installation of cameras. This Court, in W.P.(C) No. 37758 of 2023 and W.A. No. 2030 of 2024 arising therefrom, considered the question whether, in the absence of any enabling provision under the Motor Vehicles Rules, 1989, directions could be issued for the installation of CCTV cameras and related facilities, and upheld the validity of such directions. Therefore, the relief sought by the petitioners concerning the installation of cameras stands covered against them by the aforesaid decision, and the challenge has to be rejected.



8. As regards the contention of the petitioners that the permit holders were not heard or consulted in the matter before issuing the impugned circulars, the said argument has to be rejected for more reasons than one. In the first place, it has to be noticed that in a matter of policy or introducing regulatory measures, the petitioners need not be heard at all. Rule 123 and Rule 140 of the Kerala Motor Vehicles Rules only require notice to persons who are reasonably likely to be affected by the issues under consideration, in the opinion of the transport authorities, and only those who have a right to be heard are entitled to make representations under Rule 128. The permit holders have no right of representation against regulatory measures/policy decisions issued in the public interest, as the stakeholders who are affected and interested in the measures under question are the public at large and the travelling public in particular. The decision of the Supreme Court in *Union of India and Another v. Cynamide India Ltd.*



**and Others** [1987 KHC 982], paragraph 7, is relevant and is extracted hereunder.

*“7. xxxxxxxxxxxxxxxx We also wish to clear a misapprehension which appears to prevail in certain circles that price-fixation affects the manufacturer or producer primarily, and therefore fairness requires that he be given an opportunity and that fair opportunity to the manufacturer or producer must be read into the procedure for price-fixation. We do not agree with the basic premise that price fixation primarily affects manufacturers and producers. Those who are most vitally affected are the consumer public. It is for their protection that price-fixation is resorted to and any increase in price affects them as seriously as any decrease does a manufacturer, if not more.”*

9. A reading of the principles laid down by the Supreme Court in the above case shows that, while introducing a policy, regulatory measures, or in the exercise of subordinate legislation, it is not necessary to afford a hearing to the affected parties.

10. As regards the power of STA to issue the impugned circular, the relevant provisions of Sections 67 and 68 of the Motor

Vehicles Act, 1988, extracted below, need consideration..

*“67. Power of State Government to control road transport.*

*—(1) A State Government, having regard to—*

- (a) the advantages offered to the public, trade and industry by the development of motor transport,*
- (b) the desirability of co-ordinating road and rail transport,*
- (c) the desirability of preventing the deterioration of the road system; and*

xxxxxxxxxx

*[(3) Notwithstanding anything contained in this Act, the State Government may, by notification in the Official Gazette, modify any permit issued under this Act or make schemes for the transportation of goods and passengers and issue licenses under such scheme for the promotion of development and efficiency in transportation -*

- (a) last mile connectivity;*
- (b) rural transport;*
- (c) reducing traffic congestion;*
- (d) improving urban transport;*
- (e) safety of road users;*

xxxxxxxxxxxxxx

*(k) improvement of the quality of life;*

xxxxxxxxxxxxxxxxxx

*68. Transport Authorities.—(1) The State Government*





*shall, by notification in the Official Gazette, constitute for the State a State Transport Authority to exercise and discharge the powers and functions specified in sub-section (3), and shall in like manner constitute Regional Transport Authorities to exercise and discharge throughout such areas (in this Chapter referred to as regions) as may be specified in the notification, in respect of each Regional Transport Authority; the powers and functions conferred by or under this Chapter on such Authorities:*

*PROVIDED that in the Union territories, the Administrator may abstain from constituting any Regional Transport Authority.*

*XXXXXXXXXXXXXXXXXXXX*

*(3) The State Transport Authority and every Regional Transport Authority shall give effect to any directions issued under section 67 and the State Transport Authority shall, subject to such directions and save as otherwise provided by or under this Act, exercise and discharge throughout the State the following powers and functions, namely:—*

*(a) to co-ordinate and regulate the activities and policies of the Regional Transport Authorities, if any, of the State;*

*XXXXXXXXXXXXXXXXXXXX*

*[(ca) Government to formulate routes for plying stage carriages; and]*

*(d) to discharge such other functions as may be prescribed.*

*(4) For the purpose of exercising and discharging the powers and functions specified in sub-section (3), a State Transport Authority may, subject to such conditions as may be prescribed, issue directions to any Regional Transport Authority, and the Regional Transport Authority shall, in a discharge of its functions under this Act, give effect to and be guided by such directions.*

*xxxxxxxxxxxxxx”*

10.1. There is no doubt that Section 67 grants the government the authority to address the matters outlined therein. This power vested in the State Government under Section 67 operates independently of the powers conferred upon the State Transport Authority (STA) under Section 68(3). Specifically, Section 68(3) empowers the STA to regulate the activities and policies of the Regional Transport Authorities (RTA). Section 68(3) envisions a decision-making process, with decisions made by the STA qualifying as policy decisions. These policies encompass regulatory measures issued in the public interest, aimed at fostering uniformity and



certainty in the implementation of powers of RTA. Furthermore, Section 67 does not limit the authority of the STA as described in Section 68. Rather, Section 68 signifies that the powers of the State Government and those of the STA are intended to coexist, with the latter being subordinate to the former. The phrase "subject to rules" carries significant weight in this context.

10.2. As held by the Supreme Court in *Surinder Singh* (supra), the framing of the rules is not a condition precedent to the exercise of the powers expressly and unconditionally conferred by the statute, and the expression 'subject to Rules' can only mean in accordance with the rules, if any. Identical contention was considered by the *Bombay High Court in Uttam T. Dhumal & Others* (supra), wherein a decision of the STA to restrict the plying of 6 plus 1 seater autorickshaw outside all Municipal Corporation areas was challenged. The Single Judge therein held that even in the absence of any orders issued by the State Government, the STA is not powerless to issue the orders therein, and the entire policy of



Section 68(3) is the need or desire to provide for a uniform policy for an area or areas in public interest. Section 68(3) also indicates, by providing 'save as otherwise provided by the Act', that the measures are not in conflict with the provisions of the Act and Rules.

10.3. The contention that the power to frame rules for providing the in-built security measures lies only with the Central Government and not with the State Government was considered in W.P.(C) No.36842 of 2023 and connected matters. The learned Single Judge found that the State had the power to maintain law and order and to safeguard the safety and security of the passengers, and the writ petitions were dismissed and the same was affirmed in Writ Appeal No.2030/2024, as under:

*“We are sanguine of the fact that the State, independent of the powers conferred under the provisions of the Motor Vehicles Act, 1988 and the Central Motor Vehicles Rules, 1989, can issue directives to maintain the law and order of the State. It is the duty of the State to maintain and protect every citizen and to ensure their safety. The power*



*of the State to issue directives to safeguard the interest of the citizen is recognised under Article 162 of the Constitution of India, and is also not inconsistent with the object of the Motor Vehicles Act. In such circumstances, the appellants cannot contend that unless the said power is traceable to the specific provisions under the Central Motor Vehicles Rules, 1989, the same cannot be sustained. We cannot remain oblivious of the laudable intent, which is sought to be achieved by the State by issuance of these directives. At the same time, we cannot shut our eyes to the various instances that have cropped across the Nation touching upon the safety of the women passengers and also the unfortunate incidents, which have come to light while travelling in stage carriages. The impugned directives can only be viewed as a preventive measure to thwart any possible crime against women and children."*  
*[Kerala State Private Bus Operators' Federation v. Transport Commissioner.]*

10.4. Thus, the power and competency of the Road Transport Authorities were considered and answered separately, besides the issue of consultation with the stakeholders. In view of the above, the measures now put in place are certainly in exercise of the powers conferred under the Act and not otherwise.



10.5. Chapter V of the Motor Vehicles Act, 1988, deals with the Control of Transport Vehicles, while Section 66 lays down the necessity of permits. Section 72 deals with the procedure to be followed by the Regional Transport Authorities while granting a permit. Section 72 (xxiv) lays down the power to impose other conditions as may be prescribed. The Kerala Motor Vehicles Rules, 1989, were promulgated by the State of Kerala in exercise of the rule-making powers inter alia conferred by Section 96 of the same Chapter.

10.6. Rule 153 and 153(A) provides the following:

*“153. It shall be a condition of the permit of every transport vehicle, that the holder thereof-*

*(1) Shall ensure that the vehicle is driven only by a driver duly authorised in this behalf by the Act and the rules issued thereunder,*

*(2) shall exercise effective supervision over the work of all his employees to ensure operation of the vehicle in conformity with the Act and the rules issued there under;*

*(3) shall be responsible for the conduct of the driver and*



*other employees; and*

*(4) shall not use the vehicle or cause or allow it to be used in the commission of any offence under the Indian Penal Code or any local or special law or any statutory control order, for the time being in force*

*[(5) shall display the name, age, address and contact numbers driver in white colour along with his photograph inside the vehicle at a prominent place]*

*[153A. Permit holder to furnish details of the persons employed in his stage carriage-Every holder of a stage carriage permit shall furnish to the authority issuing the permit up-to-date details regarding the name, address, designation and duties of the persons employed by him in the said stage carriage.]*

10.7. Thus, Rule 153 shows that the permit holders are to exercise control and assume responsibility for the conduct of the employees and conformity with the Act and Rules in the operations of the vehicle, and the conduct of the employees certainly takes within its fold the consideration of their criminal antecedents as well. That apart, Chapter II and III of the Kerala Motor Vehicles Rules, 1989, in particular Rule 10, shows that while granting a license to a driver in respect of the transport vehicle, the Licensing



Authority is to make such enquiries as may be reasonably necessary to establish the identity of the applicant and to ascertain whether the applicant is disqualified or liable to be disqualified for holding or obtaining a driving license to drive a transport vehicle. Chapter III also deals with licensing and conduct, and the duties of conductors and stage carriages. Rule 58 again requires the authority to make enquiries to establish the identity of the applicant and to ascertain that the applicant is not disqualified or liable to be disqualified for holding or obtaining the conductors' license.

10.8. It was held by the Karnataka High Court in its judgment dated 10.11.2016 in W.P. No.30917/2016, construing the provisions of Sections 9 and 19 of the Act that the grant and refusal to grant and the revocation of a license is dependent upon the antecedents of the driver, and hence, before a license is granted to a driver and even thereafter, a police verification can be carried out. The Court considered a challenge to Rule 10(h) of the Karnataka On-Demand and Transportation Technology Aggregators Rules, 2016,





which required the drivers engaged by the Aggregators to obtain police clearance as discriminatory. The Karnataka High Court held that this requirement is already embedded in the Act in respect of all driving licenses. Thus, it could be seen that the impugned measures are only to ensure periodical monitoring and compliance with the aforementioned rules.

10.9. The requirement of police verification of the antecedents cannot be said to be antithetical to the scheme in the Act or the Rules. Far from that, the instrumentalities of the State would be neglecting their statutory duties if they did not hold the permit holders responsible for ensuring the conformity of their operations with the laws of the land. The phrase, 'any other conditions, as may be prescribed,' has been interpreted widely and with great latitude by the Supreme Court. In ***Subhash Chandra and Others*** (supra), interpreting the same term, the Supreme Court held that the imposition of any condition, of course, having a nexus with the statutory purpose, has to be upheld as it is undeniable with



human safety in one such purpose. The State's neglect in the area of policing public transport was held to be deplorable, but when it does so by prescribing a condition, the Court cannot be persuaded into little legalism and harmful negativism.

10.10. The argument on behalf of the petitioner that a liberalised regime is introduced by the Act and therefore, the impugned measures will militate against the said regime is liable to be repelled. The measures are admittedly aimed at public interest, and when pitted against public interest, the right, if any, accorded to individual permit holders must give way. The potential of heavy vehicles to cause peril to the travelling public has already been taken note of by this Court when it considered the requirement of speed governors in its decision in *Sukumaran E.S. and Others* (supra).

10.11. As regards the last contention that the Transport Commissioner could not have issued the circular, Rule 405 of the Kerala Motor Vehicles Rules, 1989 takes care of the situation. The



judgment of this Court in ***M.K. Aravindakshan*** (Supra) is also on that aspect. As held by this Court in ***Kasaragod District Bus Owners Association*** (Supra), the RTA has general powers to issue such stipulations with respect to stage carriages and other vehicles while granting permissions under the Act, even in the absence of a rule to that end coined by the State Government. It is also found that the RTA has to take into consideration the safety of the public in imposing such specifications.

10.12. As regards the judgment in ***Mohammed*** (Supra) cited on behalf of the petitioners, it dealt with the power of the Regional Transport Authority to vary the conditions of the permit, which could have been done only with notice to the party. Likewise, in ***Premalal*** (Supra), this Court found that once permits have been granted, the Secretary of the Regional Transport Authority was not justified in withholding them merely because the routes were being formulated by the State Government under Section 68(3)(ca) of the Act. These judgments in no way hold that the STA does not have the



power to come up with measures like the one impugned in the writ petition. Similarly, the judgment in **Premalal** (supra), which rightly held that the permits cannot be issued beyond the scope of the Act and Rules, also cannot be applied to a case where the impugned measures were issued invoking the powers under the Act and Rules.

11. It is also to be noted that these measures were introduced in January 2025, and sufficient time was given for implementation. Given the above, based on the statutory provisions and the judgments of in **Uttam T. Dhumal & Others, Calicut Islamic R.H.S School, Surinder Singh, The Kerala State Private Bus Operators' Federation & Ors.** (Supra) and it's Writ Appeal **Kerala Bus Transport Association and another** (Supra) and **Raghavan** (Supra), the STA had ample power to come up with the measures suggested in the orders impugned, and the argument on lack of power is only to be rejected.

12. In a State where there were 1017 numbers of accidents involving the stage carriages between 2023 to 2025 and more of them being reported almost every other day, measures introduced



by the State to curb or reduce such incidents are not only in conformity with the Act and its Rules, but are also rooted in public interest. Such measures cannot be stultified on the strength of hyper-technical arguments. The impugned orders are lawful and perfectly in line with the Act and Rules.

Accordingly, the writ petitions fail and are accordingly dismissed.

Sd/-

**MOHAMMED NIAS C.P.**

**JUDGE**

DMR/-



APPENDIX OF WP(C) 12378/2025

PETITIONERS' EXHIBITS

Exhibit P1	TRUE COPY OF THE PERMITS ISSUED TO 1ST PETITIONER
Exhibit P2	TRUE COPY OF THE PERMITS ISSUED TO 2ND PETITIONER
Exhibit P3	RUE COPY OF THE PERMITS ISSUED TO 3RD PETITIONER
Exhibit P4	TRUE COPIES OF THE TAX INVOICES OF IST PETITIONER
Exhibit P5	TRUE COPIES OF THE TAX INVOICES OF 2ND PETITIONER
Exhibit P6	TRUE COPIES OF THE TAX INVOICES OF 3RD PETITIONER
Exhibit P7	A TRUE COPY OF THE COMMUNICATION OF THE TRANSPORT COMMISSIONER DATED 16.02.2023
Exhibit P8	A TRUE COPY OF THE DECISION OF THE STA DATED 24.01.2025 IN DEPARTMENTAL ITEM NO: 3
Exhibit P9	A TRUE COPY OF THE AGENDA PUBLISHED ON 09.01.2025
Exhibit P10	A TRUE COPY OF THE ADDITIONAL AGENDA DATED 23.01.2025
Exhibit P11	A TRUE COPY OF THE JUDGEMENT IN WA NO. 2030/2024 DATED 20-12-2024
Exhibit P12	A TRUE COPY OF THE COMMUNICATION NO. C1/57/2023/TC DATED 08/02/2025

RESPONDENTS'  
ANNEXURES

ANNEXURE R2 (a)	TRUE COPY OF DECISION OF THE STA DATED 30.05.2025
ANNEXURE R2 (b)	TRUE COPY OF THE LIST OF ATTENDEES.

APPENDIX OF WP(C) 15181/2025

PETITIONERS' EXHIBITS

Exhibit P1	TRUE COPY OF THE BUS PERMIT NO. KL 6565/2452/2015 ISSUED BY THE TRANSPORT DEPARTMENT, THIRURANGADI SRTO DATED 05.03.2022.
Exhibit P2	TRUE COPY OF THE BUS PERMIT NO. KL 6565/15212/2018 ISSUED BY THE TRANSPORT DEPARTMENT, THIRURANGADI SRTO DATED 31.05.2023.
Exhibit P3	TRUE COPY OF THE BUS PERMIT NO. KL 2022-CC-4984E ISSUED BY THE TRANSPORT DEPARTMENT, THIRURANGADI SRTO DATED 13.07.2022.
Exhibit P4	TRUE COPY OF THE BUS PERMIT NO. KL 6565/1699/2019 ISSUED BY THE TRANSPORT DEPARTMENT, THIRURANGADI SRTO DATED 06.06.2024.
Exhibit P5	TRUE COPY OF THE BUS PERMIT NO. KL 6565/1772/2019 ISSUED BY THE TRANSPORT DEPARTMENT, THIRURANGADI SRTO DATED 06.06.2024.
Exhibit P6	TRUE COPY OF THE BUS PERMIT NO. KL 6565/1760/2019 ISSUED BY THE TRANSPORT DEPARTMENT, THIRURANGADI SRTO DATED 06.06.2024.
Exhibit P7	TRUE COPY OF THE BUS PERMIT NO. KL 6565/1366/2017 ISSUED BY THE TRANSPORT DEPARTMENT, THIRURANGADI SRTO DATED 1 . 6.2022.
Exhibit P8	TRUE COPY OF THE BUS PERMIT NO. KL 6565/1190/2018 ISSUED BY THE TRANSPORT DEPARTMENT, THIRURANGADI SRTO DATED 21.04.2023.
Exhibit P9	TRUE COPY OF THE BUS PERMIT NO. KL 6565/1463/2015 ISSUED BY THE TRANSPORT DEPARTMENT, THIRURANGADI SRTO DATED 15.02.2022.



Exhibit P10	TRUE COPY OF THE THE BUS PERMIT NO. KL 6565/1413/2016 ISSUED BY THE TRANSPORT DEPARTMENT, THIRURANGADI SRTO DATED 07.02.2022.
Exhibit P11	TRUE COPY OF THE BUS PERMIT NO. KL 6565/1446/2016 ISSUED BY THE TRANSPORT DEPARTMENT, THIRURANGADI SRTO DATED 07.02.2022.
Exhibit P12	TRUE COPY OF THE BUS PERMIT NO. KL 6565/3447/2018 ISSUED BY THE TRANSPORT DEPARTMENT, THIRURANGADI SRTO DATED 03.11.2023.
Exhibit P13	TRUE COPY OF THE BUS PERMIT NO. KL 6565/1502/2019 ISSUED BY THE TRANSPORT DEPARTMENT, THIRURANGADI SRTO DATED 30.05.2024.
Exhibit P14	TRUE COPY OF THE BUS PERMIT NO. KL 6565/1163/2018 ISSUED BY THE TRANSPORT DEPARTMENT, THIRURANGADI SRTO DATED 21.04.2023.
Exhibit P15	TRUE COPY OF THE BUS PERMIT NO. KL 6565/1097/2015 ISSUED BY THE TRANSPORT DEPARTMENT, THIRURANGADI SRTO DATED 23.02.2022.
Exhibit P16	TRUE COPY OF THE BUS PERMIT NO. KL 2022-CC-7294F ISSUED BY THE TRANSPORT DEPARTMENT, THIRURANGADI SRTO DATED 29.08.2022.
Exhibit P17	TRUE COPY OF THE BUS PERMIT NO. KL 6565/83/2019 ISSUED BY THE TRANSPORT DEPARTMENT, THIRURANGADI SRTO DATED 20.01.2024.
Exhibit P18	TRUE COPY OF THE THE BUS PERMIT NO. KL 6565/2080/2018 ISSUED BY THE TRANSPORT DEPARTMENT, THIRURANGADI SRTO DATED 13.07.2023.
ExhibitP19	TRUE COPY OF THE BUS PERMIT NO K16565/1365/2017 ISSUED BY THE TRANSPORT DEPARTMENT, THIRURANGADI SRTO
Exhibit P20	P20: TRUE COPY OF LETTER



WP(C) NO. 17429 OF 2025  
& connected cases

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	NO.C1/57/2023/TC DATED 08.02.2025 ISSUED BY THE 2ND RESPONDENT
Exhibit P21	TRUE COPY OF LETTER NO.E2//8/2025-TC DATED 18.02.2025 ISSUED BY THE 2ND RESPONDENT.
Exhibit P22	TRUE COPY OF THE LETTER NO.1/109153/2023 DATED 16.02.2023 ISSUED BY THE 2ND RESPONDENT.
Exhibit P23	TRUE COPY OF THE INTERIM ORDER DATED 28.03.2025 IN W.P. (C) NO.12378/2025
RESPONDENTS' ANNEXURES	
Annexure R2(a)	THE TRUE COPY OF THE STA ORDER DATED 30.05.2025

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APPENDIX OF WP(C) 15942/2025

PETITIONER'S EXHIBITS

Exhibit P1	TRUE COPY OF THE DECISION OF THE MEETING OF STATE TRANSPORT AUTHORITY HELD ON 24.01.2025 AT THE TRANSPORT COMMISSIONERATE, THIRUVANATHAPURAM, KERALA
Exhibit P2	TRUE COPY OF THE ADDITIONAL AGENDA -II - BASED ON D1/884/2024-TC DATED 22/01/2025
Exhibit P3	TRUE COPY OF THE INTERNAL DIRECTION HAS BEEN ISSUED BY THE RESPONDENT NO.4 TO ALL RTOS.
Exhibit P4	LIST OF MEMBERS OF THE PETITIONER ASSOCIATION

RESPONDENTS'  
ANNEXURES

ANNEXURE R2(a)	TRUE COPY OF DECISION OF THE STA DATED 30.05.2025
ANNEXURE R2(b)	TRUE COPY OF THE LIST OF THE ATTENDEES.

APPENDIX OF WP(C) 16924/2025

PETITIONERS' EXHIBITS

Exhibit -P1	TRUE COPY OF THE NOTIFICATION NO. D1/884/2024-TC DATED 22-01-2025 ISSUED BY THE 3RD RESPONDENT
Exhibit -P2	TRUE COPY OF THE RELEVANT PAGES OF THE STATE TRANSPORT AUTHORITY MEETING HELD ON 24-01-2025
Exhibit -P3	TRUE COPY OF THE COMMUNICATION NO. E2/8/2025-TC DATED 18-02-2025 ISSUED BY THE 3RD RESPONDENT
Exhibit -P4	TRUE COPY OF THE RELEVANT PAGES OF THE SPECIAL ENQUIRY REPORT REGARDING FIRE DAMAGE SUSTAINED TO THE EDUCATIONAL INSTITUTION BUS HAVING REG. NO. KL-30E-4886 SUBMITTED BY THE INSPECTION COMMITTEE DATED 20-06-2024
Exhibit -P5	TRUE COPY OF THE ORDER PASSED BY THIS HON'BLE COURT DATED 11-04-2025 IN W.P. (C)NO. 15942/2025

RESPONDENTS' EXHIBITS

Exhibit R2(a)	TRUE COPY OF THE DECISION OF THE STA DATED 30.05.2025
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APPENDIX OF WP(C) 18217/2025

PETITIONERS' EXHIBITS

Exhibit P-1	TRUE COPY OF THE APPLICATION FOR TEMPORARY PERMIT DATED NIL SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT IN FORM P.TEM A
Exhibit P-2	TRUE COPY OF THE COMMUNICATION THROUGH E-MAIL FROM THE 2ND RESPONDENT TO THE PETITIONER DATED 07-05-2025
Exhibit P-3	TRUE COPY OF THE DECISION OF THE 3RD RESPONDENT DATED 23-01-2025 IN DEPARTMENTAL ITEM NO.3



APPENDIX OF WP(C) 19647/2025

PETITIONERS' EXHIBITS

Exhibit P1	1. TRUE COPY OF THE REGULAR PERMIT ISSUED TO THE 1ST PETITIONER
Exhibit P2	TRUE COPY OF THE REGULAR PERMIT ISSUED TO THE 2ND PETITIONER
Exhibit P3	TRUE COPY OF THE REGULAR PERMIT ISSUED TO THE 3RD PETITIONER
Exhibit P4	TRUE COPY OF THE REGULAR PERMIT ISSUED TO THE 4TH PETITIONER
Exhibit P5	TRUE COPY OF THE TEMPORARY PERMIT ISSUED TO THE 5TH PETITIONER
Exhibit P6	A TRUE COPY OF THE DECISION OF THE 2ND RESPONDENT DATED 24.01.2025 IN DEPARTMENTAL ITEM NO. 3 (RELEVANT PAGES ONLY)
Exhibit P7	A TRUE COPY OF THE AGENDA DATED 09.01.2025
Exhibit P8	A TRUE COPY OF THE ADDITIONAL AGENDA DATED 18.01.2025
Exhibit P9	A TRUE COPY OF THE AGENDA DATED 22.01.2025
Exhibit P10	A TRUE COPY OF THE AGENDA DATED 23.01.2025
Exhibit P11	A TRUE COPY OF THE CIRCULAR NO. 12/25 DATED 28.04.2025 ISSUED BY THE 4TH RESPONDENT
Exhibit P12	A TRUE COPY OF THE NOTICE DATED 22.05.2025 ISSUED BY THE SECRETARY OF REGIONAL TRANSPORT AUTHORITY, THRISSUR ALONG WITH TYPED COPY
Exhibit P13	A TRUE COPY OF THE APPLICATION FOR TEMPORARY PERMIT DATED 20.05.2025
Exhibit P14	31. A TRUE COPY OF THE APPLICATION FOR TEMPORARY PERMIT DATED 24.05.2025
Exhibit P15	A TRUE COPY OF THE COMMUNICATION DATED 16.02.2023 ISSUED BY THE 4TH RESPONDENT

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	CIRCULATING THE ABOVE DECISION FOR ITS ENFORCEMENT
Exhibit P16	A TRUE OF THE COMMON JUDGMENT DATED 11.11.2024 IN W.P.(C) 36842 OF 2023 AND W.P.(C) 37758 OF 2023
Exhibit P17	A TRUE COPY OF THE JUDGMENT DATED 20.12.2024 IN WRIT APPEAL NO. 2030 OF 2024
Exhibit P18	A TRUE COPY OF THE REQUEST LETTER DATED 31.10.2023 SUBMITTED BY PRIVATE STAGE CARRIAGE OPERATORS
Exhibit P19	TRUE COPY OF THE ORDER DATED 28.03.2025 IN WRIT PETITION NO. 12378 OF 2025 ON THE FILES OF HIS HON'BLE COURT
Exhibit P20	A TRUE COPY OF THE DECISION OF THE SECOND RESPONDENT DATED 30.05.2025 (RELEVANT PAGES ONLY)

APPENDIX OF WP(C) 19931/2025

PETITIONERS' EXHIBITS

Exhibit.P1	TRUE COPY OF THE REGULAR PERMIT IN RESPECT OF KL-71/J 9001
Exhibit.P2	TRUE COPY OF THE REGULAR PERMIT IN RESPECT OF KL-56/N 9606
Exhibit.P3	A TRUE COPY OF THE RELEVANT PORTION OF THE DECISION OF THE 2 ND RESPONDENT IN DEPARTMENTAL ITEMS DATED 24.01.2025
Exhibit.P4	TRUE COPY OF THE CIRCULAR NO: 12/2025 ISSUED BY THE 3 RD RESPONDENT DATED 28.04.2025
Exhibit.P5	TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER DATED 16.05.2025
Exhibit.P6	TRUE COPY OF THE INTERIM ORDER DATED 28.03.2025 IN W.P(C) NO: 12378 OF 2025
Exhibit.P7	TRUE COPY OF THE ORDER OF THIS HON'BLE COURT IN WP(C) 12378/2025 DATED 22.05.2025

RESPONDENTS' ANNEXURES

Annexure R2(a)	TRUE COPY OF THE DECISION DATED 30-05-2025
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APPENDIX OF WP(C) 22700/2025

PETITIONER'S EXHIBITS

Exhibit P1	THE COPY OF THE RELEVANT PORTION OF THE AGENDA ALONG WITH THE DECISION OF THE STA, THIRUVANANTHAPURAM HELD ON 23.01.2025
Exhibit P2	TRUE COPY OF THE CIRCULAR NO. 12/2025 DATED 28.04.2025 ISSUED BY 2ND RESPONDENT



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APPENDIX OF WP(C) 22767/2025

**PETITIONER'S EXHIBITS**

<b>Exhibit P1</b>	TRUE COPY OF THE RELEVANT PORTION OF THE AGENDA ALONG WITH THE DECISION OF THE STA, THIRUVANANTHAPURAM HELD ON 23.01.2025
<b>Exhibit P2</b>	TRUE COPY OF THE CIRCULAR NO. 12/2025 DATED 28.04.2025 ISSUED BY THE 2ND RESPONDENT



APPENDIX OF WP(C) 25842/2025

PETITIONER'S EXHIBITS

Exhibit P1	TRUE COPY OF THE REGULAR PERMIT DATED 13.10.2020 VALID TILL 13.9.2015
Exhibit P2	TRUE COPY OF THE REGULAR PERMIT DATED 8.1.2021, VALID TILL 19.10.2025
Exhibit P3	A TRUE COPY OF THE RELEVANT PORTION OF THE DECISION OF THE 2ND RESPONDENT IN DEPARTMENTAL ITEMS DATED 24.01.2025
Exhibit P4	TRUE COPY OF THE CIRCULAR NO: 12/2025 ISSUED BY THE 3RD RESPONDENT DATED 28.04.2025
Exhibit P5	TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PRIVATE BUS OPERATORS ASSOCIATION DATED 16.05.2025
Exhibit P6	TRUE COPY OF THE NOTICE ISSUED BY THE 4TH RESPONDENT DATED 22.5.2025

RESPONDENTS' ANNEXURES

Annexure R2 (a)	TRUE COPY OF DECISION OF THE STA DATED 30.05.2025
Annexure R2 (b)	TRUE COPY OF THE LIST OF THE ATTENDEES

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APPENDIX OF WP(C) 17429/2025

PETITIONER'S EXHIBITS

Exhibit P- 1	TRUE COPY OF THE CERTIFICATE OF REGISTRATION DATED 12.06.2018
Exhibit P-2	TRUE COPY OF THE DECISION OF THE MEETING OF STATE TRANSPORT AUTHORITY HELD ON 24.01.2025 AT THE TRANSPORT COMMISSIONERATE, THIRUVANANTHAPURAM
Exhibit P-3	TRUE COPY OF THE ADDITIONAL AGENDA II DATED 22.01.2025 APPROVED BY THE JOINT TRANSPORT COMMISSIONER AND SECRETARY TO STATE TRANSPORT AUTHORITY
Exhibit P-4	TRUE COPY OF THE COMMUNICATION CONTAINING THE ABOVE DIRECTION BEARING NO.E2/8/2025-TC DATED 18.02.2025

RESPONDENTS' ANNEXURES

Annexure R2 (A)	TRUE COPY OF THE STA ORDER DATED 30.05.2025
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