

IN THE HIGH COURT OF KERALA AT ERNAKULAM  
PRESENT

THE HONOURABLE MR. JUSTICE GOPINATH P.

FRIDAY, THE 08<sup>TH</sup> DAY OF MAY, 2020/18TH VAISAKHA, 1942

W.P(C) NO.9785 OF 2020

PETITIONERS:

1. KERALA CBSE SCHOOL MANagements ASSOCIATION,  
REPRESENTED BY GENERAL SECRETARY  
P.S. R AMACHANDRAN PILLAI, 7<sup>TH</sup> FLOOR,  
PENTA TOWER, KALoor, ERNAKULAM, KOCHI - 682 017.
2. JACOB GEORGE, PADINJARE THEKKINKATTIL,  
ANCHAL P.O., KOLLAM DISTRICT.

BY ADVOCATES

SRI. DR. K.P. SATHEESAN (SR.),  
SRI. P. MOHANDAS,  
SRI. K. SUDHINKUMAR,  
SRI. S.K. ADHITHYAN,  
SRI. SABU PULLAN  
SRI. GOKUL D.SUDHAKARAN.

RESPONDENTS:

1. STATE OF KERALA,  
REPRESENTED BY THE SECRETARY,  
TRANSPORT DEPARTMENT, GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM - 695 001.
2. THE TRANSPORT COMMISSIONER,  
TRANSPORT COMMISSIONERATE,  
2<sup>ND</sup> FLOOR, TRANS TOWERS, VAZHUTHACAUD,  
THYCAUD P.O., THIRUVANANTHAPURAM - 695 014.

BY GOVERNMENT PLEADER SMT.B.VINITHA

THIS WRIT PETITION HAVING COME UP FOR ADMISSION ON  
08.05.2020, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:

## **JUDGMENT**

Petitioners have approached this Court praying inter alia for a direction to the second respondent to consider and pass orders on Ext.P1 application for accepting Form 'G' under the provisions of the Kerala Motor Vehicles Taxation Rules in respect of vehicles belonging to different schools which have been unable to operate on account of lock down.

2. Smt. B. Vinitha, the learned Government Pleader appearing for the respondents submits that the Transport Commissioner would not be incompetent to consider Ext.P1 application and if at all reliefs can be granted to the petitioner, the matter will have to be considered by the Government.

3. In view of the above, there will be a direction to the second respondent to forward Ext.P1 to the Secretary to Government, Transport Department, along with his views/recommendations within one month from the date of receipt of a copy of this judgment. On receipt of the same, the

Secretary to Government, Transport Department shall consider Ext.P1 and pass appropriate orders thereon after affording an opportunity of hearing to the representative of the first petitioner. This shall be done, at any rate, within a period of two months after receipt of Ext.P1 through the second respondent.

With these directions, the writ petition is disposed of.

**GOPINATH P.  
JUDGE**

ncd

**APPENDIX**

**PETITIONER'S EXTS:**

**EXT. P1:- TRUE COPY OF THE REPRESENTATION FILED BY THE  
1<sup>ST</sup> PETITIONER BEFORE THE 2<sup>ND</sup> RESPONDENT DATED  
30-04-2020**