

**MANJULA CHELLUR, Ag.C.J  
&  
P.R.RAMACHANDRA MENON, J.**

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**W.A.No. 1490 & 1526 of 2011,  
and  
W.P(C).Nos. 16353, 19516, 20160, 20182, 23066, 24760,  
26172, 26464, 26350, 26933, 29248 & 30266 of 2011**  
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**Dated this the 9<sup>th</sup> day of February, 2012**

**JUDGMENT**

**Manjula Chellur, Ag.C.J.**

These Writ Appeals and Writ Petitions pertains to controversy of fancy/particular registration numbers to the vehicles of appellants and petitioners respectively. Subsequent to amendment to Rule 95 of the Kerala Motor Vehicles Rules, 1989 (for short, 'the Rules') which come into force with effect from 1.3.2011, several litigations are filed before this Court. In the above two appeals, challenge was to the rejection of the respondent authorities in allotting fancy/particular number of applicant's choice. They had approached the learned Single Judge and the Writ Petitions came to be dismissed. As the Writ Appeals were pending before the Division Bench, all the Writ Petitions involving similar controversy were clubbed with the above appeals.

2. The table below would indicate which appellants/petitioners had sought for which fancy/particular

registration number and was to encourage genuine applicants to reserve the registration number so as to augment the income of the Government, by deleting the word "valid", would it come in the way of achieving the purpose and object of the amendment of the Rule. The temporary registration certificate even if expired would indicate who is the owner, which is the vehicle, details of the vehicle, from where it was purchased and who was the authority, who gave the temporary registration. With these details and also other mandate, which requires temporary registering authority to forward copy of the temporary registration to the registering authority having jurisdiction over the area in which the vehicle is ordinarily kept, the maximum safeguard or security intended by the substitution of Section 95 could be achieved. Therefore, we are of the opinion, the word "valid" in sub-clause (ii) of sub-rule (5) of Rule 95 deserves to be struck down.

Accordingly, the Writ Appeals are allowed in part setting aside judgment of the learned Single Judge. All the Writ Petitions, including the Writ Petitions pertaining to Writ Appeals are allowed in part. The word "valid" in clause (ii) of sub-Rule (5) of Rule 95 of the Kerala Motor Vehicles Rules, 1989 is struck down. Consequently, the respondent authorities are directed to consider

the allotment of fancy number or a particular number in accordance with the procedure in the light of above observations.

No order as to costs.

**MANJULA CHELLUR,  
ACTING CHIEF JUSTICE**

**P.R.RAMACHANDRA MENON,  
JUDGE**

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