

C1/9367/TC2016

Transport Commissionerate, Keralam
Trans Towers, Thiruvananthapuram
Dated: 06-08-2016

From
The Transport Commissioner

To
All Deputy Transport Commissioners
All Regional Transport Officers
All Joint Regional Transport Officers

Sir,

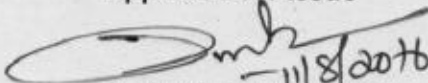
Sub: Motor Vehicles Department-Exemption from BS IV norms-Direction
issuing of-Reg

- Ref: 1. Interim Order of Hon'ble High Court in W.P.(C) No.
24158/2016(T) dated 20-07-2016
2. Interim Order of Hon'ble High Court in W.P.(C) No.
25419/2016 dated 29-07-2016
3. Interim Order of Hon'ble High Court in W.P.(C) No.
25581/2016(W) dated 01-08-2016
4. Interim Order of Hon'ble High Court in W.P.(C) No.
25589/2016(W) dated 01-08-2016
5. Interim Order of Hon'ble High Court in W.P.(C) No.
25646/2016(E) dated 03-08-2016
6. This office letter No.C1/18841/TC/2015 dated 29-04-2016
7. This office letter of even number dated 07-07-2016

Attention is invited to the above references. Copies of the interim orders
of Hon'ble High Court vide reference 1st to 6th cited are enclosed herewith for
information and strict compliance.

Yours faithfully
Sd/-
Senior Deputy Transport Commissioner
(Taxation)
For Transport Commissioner

Approved for issue


Junior Superintendent



IN THE HIGH COURT OF KERALA AT ERNAKULAM

Present:

THE HONOURABLE MR. JUSTICE SHAJI P. CHALY

Wednesday, the 20th day of July 2016/29th Ashadha, 1938

WP(C).No.24158/2016(T)

PETITIONER:-

M/S. GRAND MOTORS SALES & SERVICE PRIVATE LTD.,
SARASWATHI BUILDING, KARAMANA, THIRUVANANTHAPURAM- 695 002
REP, BY ITS GENERAL MANAGER-FINANCE & ACCOUNTS.

RESPONDENT(S):-

1. STATE OF KERALA, REP. BY ITS SECRETARY,
MINISTRY OF TRANSPORT, GOVT. SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.
2. TRANSPORT COMMISSIONER,
TRANSPORT COMMISSIONERATE,
KERALAM, TRANS TOWERS,
THIRUVANANTHAPURAM - 695 001.

Writ Petition (civil) praying inter alia that in the circumstances stated in the affidavit filed along with the WP(C) the High Court be pleased to stay the operation of Exhibit P3 and further direct the second respondent and the officers under him to forthwith register the vehicles having more than four wheels manufactured by M/s VE Commercial Vehicles Ltd., on and after 1st of April, 2016 and which are BS-III complaint pending disposal of the above Writ Petition.

This petition coming on for admission upon perusing the petition and the affidavit filed in support of WP(C) and upon hearing the arguments of SRI.V.KRISHNA MENON, Advocate for the petitioner, and of GOVERNMENT PLEADER for respondents, the court passed the following:-

ORDER

Government Pleader takes notice for respondents. There will be an interim stay of Ext.P3 for a period of two months.

Post along with WP(C) Nos.20015/16, 24206/16.

20-07-2016

Sd/- SHAJI P. CHALY, JUDGE

/true copy/

ASSISTANT REGISTRAR

21/7/16
EXT P3:- TRUE COPY OF THE CIRCULAR DATED 29-04-2016
ISSUED BY THE SECOND RESPONDENT.

FVB/1
21.7.16

SHAJI P. CHALY, J.

W.P.(C) No.25419 of 2016

Dated this the 29th day of July, 2016

ORDER

Admit.

2. Learned Government Pleader takes notice for respondents 1, 2 and 4. Learned Assistant Solicitor General takes notice for the 3rd respondent.

3. There will be an interim stay of Ext.P3 dated 29.04.2016 and further direct the 4th respondent to register the petitioner's vehicle pending disposal of the writ petition, in accordance with law.

Post along with W.P.(C) No.25422/2016.

SHAJI. P. CHALY, JUDGE

TRUE COPY

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ASSISTANT REGISTRAR

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29.07.2016

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

Present:

THE HONOURABLE MR. JUSTICE SHAJI P. CHALY

Monday, the 1st day of August 2016/10th Sravana, 1938

WP(C) No. 25581/2016(W)

PETITIONER

KUNHIRAMAN P., S/O. KANNAN,
PILATHARAMMAL, KOLAVALOOR, THUVAKKUNNU,
THALASSERY, KANNUR-670693.

RESPONDENTS

1. STATE OF KERALA, REPRESENTED BY THE SECRETARY TO THE DEPARTMENT OF MOTOR VEHICLES, SECRETARIAT, THIRUVANANTHAPURAM-695 001.
2. THE TRANSPORT COMMISSIONER, MOTOR VEHICLES DEPARTMENT, TRANS TOWERS, VAZHUTHACAUD, THIRUVANANTHAPURAM-695 001.
3. UNION OF INDIA, REPRESENTED BY THE SECRETARY TO THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS, NEWDELHI-110 001.
4. THE REGISTERING AUTHORITY (THE JOINT REGIONAL TRANSPORT OFFICER), THALASSERY-670 101

Writ Petition (civil) praying inter alia that in the circumstances stated in the affidavit filed along with the WP(C) the High Court be pleased to pass an interim order to stay Ext.P3 to the extent it prohibits the registration of BS III four wheeled transport vehicles (commercial vehicles), and direct the 4th respondent to register the petitioner's vehicles, pending disposal of the Writ Petition(Civil).

This petition coming on for admission upon perusing the petition and the affidavit filed in support of WP(C) and upon hearing the arguments of SRI. O.D.SIVADAS, Advocates for the petitioner, and of GOVERNMENT PLEADER for respondents, the court passed the following

O R D E R

Government Pleader takes notice for respondents.

There will be an interim stay of Ext.P3 dated 29.04.2016, and further direct the 4th respondent to register petitioner's vehicle bearing engine No.D 63030735 pending disposal of the Writ Petition.

01-08-2016

Sd/- SHAJI P. CHALY, JUDGE

/true copy/



ASSISTANT REGISTRAR

Exhibit P3:- True copy of the communication No.C1/188141/TC/2015 DT 29.4.2016 issued by the 2nd respondent.

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THE HONOURABLE MR. JUSTICE SHAJI P.CHALY

Monday, the 1st day of August 2016/10th Sravana, 1938

WP (C) .No.25589/2016(W)

PETITIONER(S):

P.K.PADMAVATHY, W/O. PRASANAN, PALAVALAPPIL,
ATTAADAPPA, P.O.CHOVVA, KANNUR, PIN-670006.

RESPONDENT(S):

1. THE STATE OF KERALA, REP. BY THE SECRETARY TO THE
DEPARTMENT OF MOTOR VEHICLES, SECRETARIAT,
THIRUVANANTHAPURAM-695001.
2. THE TRANSPORT COMMISSIONER, MOTOR VEHICLES
DEPARTMENT, TRANS TOWERS, VAZHUTHACAUD,
THIRUVANANTHAPURAM-695001.
3. UNION OF INDIA, REP. BY THE SECRETARY TO THE
MINISTRY OF ROAD TRANSPORT AND HIGHWAYS,
NEW DELHI-110001.
4. THE REGISTERING AUTHORITY,
(THE REGIONAL TRANSPORT OFFICER), KANNUR-670001.

Writ Petition (civil) praying inter alia that in the
circumstances stated in the affidavit filed along with the WP(C) the
High Court be pleased to pass an interim order stay Ext.P3 to the
extent it prohibits the registration of BS III four wheeled transport
vehicles (commercial vehicles), and direct the 4th respondent to
register the petitioner's vehicle, pending disposal of the Writ
Petition(Civil).

This petition coming on for admission upon perusing the
petition and the affidavit filed in support of WP(C) and upon hearing
the arguments of SRI.O.D.SIVADAS, Advocate for the petitioner.
GOVERNMENT PLEADER for respondents, the court passed the following

ORDER

Government Pleader takes notice for respondents.

There will be an interim stay of Ext.P3 dated 29.04.2016 and
further direct the fourth respondent to register petitioner's vehicle
bearing engine No.D63029630 pending disposal of the Writ Petition.

01-08-2016

Sd/- SHAJI P.CHALY,

JUDGE

/true copy/

ASSISTANT REGISTRAR

Ext.P3: True copy of the communication No.C1/188141/TC/2015 dated
29.4.2016 issued by the 2nd respondent.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

Present:

THE HONOURABLE MR. JUSTICE SHAJI P.CHALY

Wednesday, the 3rd day of August 2016/12th Sravana, 1938

WP(C) .No.25646/2016(E)

PETITIONER:

M/S.T.V.SUNDARAM IYENGAR & SONS PVT. LTD., NATIONAL HIGHWAY, KALOOR,
KOCHI-682017 REPRESENTED BY ITS GLOBAL PRESIDENT-DISTRIBUTION.

RESPONDENTS:

1. STATE OF KERALA REPRESENTED BY ITS SECRETARY, MINISTRY OF TRANSPORT,
GOVT. SECRETARIAT, THIRUVANANTHAPURAM-695001.
2. TRANSPORT COMMISSIONER, TRANSPORT COMMISSIONERATE, KERALAM,
TRANS TOWERS, THIRUVANANTHAPURAM - 695001.

Writ Petition (civil) praying inter alia that in the circumstances stated in the affidavit filed along with the WP(C) the High Court be pleased to stay the operation of Exhibit P3 and further direct the second respondent and the officers under him to forthwith register the vehicles having more than four wheels manufactured by M/s.Mahindra & Mahindra Ltd. on and after 1st of April, 2016 and which are BS-III compliant pending disposal of the above writ petition.

This petition coming on for admission upon perusing the petition and the affidavit filed in support of WP(C) and upon hearing the arguments of M/S.P.VIJAYAMMA, V.KRISHNA MENON & J.SURYA Advocates for the petitioner and of GOVERNMENT PLEADER for respondents, the court passed the following:

O R D E R

Government Pleader takes notice for the respondents.

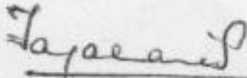
There will be an interim stay of Ext.P3 for a period of two months.

Post along with WP(C) .No.25629/2016.

03-08-2016

Sd/-SHAJI P.CHALY, JUDGE

/true copy/


ASSISTANT REGISTRAR

Ext.P3: True copy of the circular dated 29/04/2016 issued by the second respondent.

svs/5