

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN

&

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

TUESDAY, THE 16TH DAY OF JUNE 2015/26TH JYAISHTA, 1937

WA.No. 1194 of 2015 () IN WP(C).34351/2014

AGAINST THE JUDGMENT IN WP(C) 34351/2014 DATED 18-12-2014

APPELLANT(S)/3RD PARTY :-

ASOKAN, AGED 38,
S/O.MADHAVAN, NADUVIL PURAKAL HOUSE
PARALIKAD VILLAGE DESOM, TALAPPILLY TALUK

BY ADV. SRI.G.SREEKUMAR (CHELUR)

RESPONDENT(S) :-

1. SARATHKUMAR
S/O/. GOVINDANKUTTY NAIR, AMBAKATU HOUSE, PARALIKAD
THRISSUR - 680001.
2. THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY, THRISSUR - 680 001.

R1 BY SRI.I.DINESH MENON

R2 BY SPL.GOVERNMENT PLEADER SMT.GIRIJA GOPAL

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 16-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

jvt

**ASHOK BHUSHAN, C.J &
A.M. SHAFFIQUE, J.**

W.A. No.1194 of 2015

Dated this the 16th day of June 2015

J U D G M E N T

Ashok Bhushan, CJ

Heard the learned counsel for the appellant as well as the learned counsel appearing for the first respondent/writ petitioner.

2. This writ appeal has been filed against the judgment dated 18.12.2014 in W.P.(C) No.34351 of 2014. The petitioner had filed the writ petition seeking for a direction to the Secretary, Regional Transport Authority to endorse the fact of transfer of permit. The case of the appellant is that there is issue regarding ownership of the vehicle, which is pending consideration in a civil suit.

4. Learned counsel for the writ petitioner submits that the transfer was effected on the joint application, by order of the Secretary, Regional Transport Authority. It is submitted that if the appellant is aggrieved by the said action, his remedy is to file revision before the State Transport Appellate Tribunal.

5. We are of the view that since a statutory remedy is available to the appellant, the issue raised by the appellant in this writ appeal need not be gone into by this Court.

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-: 2 :-

Hence, this writ appeal is dismissed with liberty to the appellant to take statutory remedy as available under law.

Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE
JUDGE

Jvt