

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

WEDNESDAY, THE 21ST DAY OF JANUARY 2015/1ST MAGHA, 1936

WP(C).No. 2070 of 2015 (G)

PETITIONER(S):

**MUHAMMED NIYAZ,
ELAVAN CHALIL, KODUVALLY.**

BY ADV. SRI.STALIN PETER DAVIS.

RESPONDENT(S):

**REGIONAL TRANSPORT AUTHORITY,
KOZHIKODE, REPRESENTED BY ITS SECRETARY,
PIN-673 001.**

BY GOVT. PLEADER SRI.R. RANJITH.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 21-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

WP(C).No. 2070 of 2015 (G)

APPENDIX

PETITIONER'S EXHIBITS:-

**EXT.P1 COPY OF THE PROCEEDINGS DATED 14/11/2014 OF THE
RESPONDENT DECLINING VARIATION.**

**EXT.P2 COPY OF THE MOTOR VEHICLE INSPECTORS REPORT
DATED 29/10/2014.**

RESPONDENT'S EXHIBITS:-

NIL.

//TRUE COPY//

P.A TO JUDGE

rs.

K.VINOD CHANDRAN, J

W.P.(C).No. 2070 of 2015

Dated 21st January, 2015

JUDGMENT

The petitioner is aggrieved with Ext.P1 rejection of a variation sought for in a regular permit he had. The contention of the petitioner is that the report of the Field Officer produced at Ext.P2 would definitely indicate that, the variation is one which would benefit the public. It may not be proper for this Court under Article 226 of the Constitution of India to go into the Field Officer's report. It would be apposite for the State Transport Appellate Tribunal to look into such matters if the petitioner files an appeal from the said order. Since there is an effective alternate remedy, this Court refuses to exercise discretion.

The writ petition is dismissed, leaving open the remedies available to the petitioner.

Sd/-

K.VINOD CHANDRAN
Judge

MrCs

//True Copy//