

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

TUESDAY, THE 7TH DAY OF APRIL 2015/17TH CHAITHRA, 1937

WP(C).No. 9072 of 2015 (H)

PETITIONER(S):

**P.K. SUKU, AGED 44,
S/O.KURUMBAN, WARD MEMBER,
MUDAKUZHA GRAMA PANCHAYATH, RESIDING AT PULIYALPARAMBIL,
KOMBANAD P.O., CHOORAMUDI, ERNAKULAM, PIN - 683 546.**

BY ADV. SRI.M.JITHESH MENON

RESPONDENT(S):

- 1. THE REGIONAL TRANSPORT AUTHORITY,
MOOVATTUPUZHA, PIN-686 661.**
- 2. THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY, MOOVATTUPUZHA,
PIN-686 661**
- 3. K.M. MUJEEB,
KARUVILLY HOUSE, VALAYACHIRANGARA,
PERUMBAVOOR - 683 556.**

**R1 & R2 BY GOVERNMENT PLEADER SRI.R.RANJITH
R3 BY ADV. SRI.P.DEEPAK**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
07-04-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 9072 of 2015 (H)

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1 - TRUE COPY OF THE PAPER REPORT DATED 14-2-2015.

EXT.P2 - TRUE COPY OF THE APPLICATION FOR VARIATION DATED 28-8-2014.

EXT.P3 - TRUE COPY OF THE COVERING LETTER DATED 28-8-2014.

EXT.P4 - TRUE COPY OF THE REPORT DATED 27-9-2014.

EXT.P5 - TRUE COPY OF THE SKETCH OF THE ROUTE.

EXT.P6 - TRUE COPY OF THE MASS PETITION DATED NIL.

EXT.P7 - TRUE COPY OF THE ORDER OF THE 1ST RESPONDENT DATED 30-10-2014.

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv**/**

K. Vinod Chandran, J.

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W.P.(C)No.9072 of 2015

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Dated this the 7th day of April, 2015.

JUDGMENT

Petitioner is a ward member who challenges the variation granted to the third respondent. Petitioner contends that he is ventilating the grievance of the travelling public. He is entitled to do so, being a people's representative, but, however, the same will have to be done in accordance with the Act and Rules. Since an alternate remedy is provided under the Act, this Court would not extend its long arm under Article 226. Petitioner would have to contend with the remedy before the Tribunal and definitely, since delay is caused, the petitioner would also be entitled to seek condonation of delay, *inter alia* on the ground that the writ petition was filed and was pending. Writ petition is disposed of relegating the petitioner to the alternate remedy.

K. Vinod Chandran, Judge.

sl.