

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE ANTONY DOMINIC

&

THE HONOURABLE MR. JUSTICE SHAJI P.CHALY

WEDNESDAY, THE 29TH DAY OF JULY 2015/7TH SRAVANA, 1937

WA.No. 1191 of 2006 (E) IN WP(C).11372/2006

AGAINST THE JUDGMENT IN WP(C) 11372/2006 of HIGH COURT OF KERALA DATED
20-06-2006

APPELLANT/PETITIONER:

M/S.GEM GRANITES,
POWER OF ATTORNEY HOLDER P.UMAPATHI, NO.78
CATHETRAL ROAD, CHENNAI-600 086.

BY ADVS.SRI.M.K.DAMODARAN (SR.)
SRI.P.K.VIJAYAMOHANAN

RESPONDENTS:

1. THE STATE OF KERALA, REPRESENTED BY
THE CHIEF SECRETARY TO GOVERNMENT OF KERALA
SECRETARIAT, THIRUVANANTHAPURAM-695 001.

2. THE DIRECTOR OF MINING AND GEOLOGY,
DIRECTORATE OF MINING AND GEOLOGY
THIRUVANANTHAPURAM-695 004.

3. THE DISTRICT COLLECTOR,
THIRUVANANTHAPURAM.

4. THE SUPERINTENDENT OF POLICE,
THIRUVANANTHAPURAM RURAL, THIRUVANANTHAPURAM.

5. THE VILLAGE OFFICER,
PERUMKADAVILA VILLAGE, PERUMKADAVILA P.O.
NEYATTINKARA, THIRUVANANTHAPURAM.

6. SMT.K.SAROJINI,
NEDUMVAMKONAM, KANNARATHALA MELE PUTHENVEEDU
PALKULANGARA, PERUMKADAVILA POST, NEYATTINKARA
TRIVANDRUM DISTRICT.

R1 TO R5 BY SENIOR GOVERNMENT PLEADER SRI.SHYSON P. MANGUZHA

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 29-07-2015,
ALONG WITH WA. 1194/2006, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

smv

**ANTONY DOMINIC
&
SHAJI P. CHALY, JJ.**

W.A. Nos.1191 & 1194 of 2006

Dated this the 29th day of July, 2015

JUDGMENT

Antony Dominic,J.

These appeals are filed challenging the common judgment of the learned Single Judge in W.P.(C) Nos.11372 of 2006 and 11381 of 2006. These appeals were admitted and in Writ Appeal No.1191 of 2006, interim order dated 04/07/2006 was passed by this Court staying the proceedings before the District Collector. That interim order continued till date. When the appeals were listed in the hearing list, counsel for the appellants submitted that during the pendency of the writ appeals, the lease period has expired and at this distance of time, no orders are necessary.

In view of the submission so made, these writ appeals are dismissed as not pressed. However, we clarify that on the strength of the interim order dated 4.7.2006, if the appellant in Writ Appeal No.1191/2006 has enjoyed any benefit, which they

were otherwise not entitled, it would be open to the respondents to proceed against the appellant to realise the same in accordance with law.

Sd/-

**ANTONY DOMINIC
JUDGE**

Sd/-

**SHAJI P. CHALY
JUDGE**

//true copy//

P.A to Judge

smv