

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

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

WP(C).No. 1866 of 2006 (V)

PETITIONER:

THOMAS MATHEW, S/O. THOMAS,
KUNNAPPILLIL HOUSE, VAZHAKKULAM P.O., MUVATTUPUZHA

BY ADVS.SRI.C.A.CHACKO
SMT.C.M.CHARISMA
SRI.N.A.SHAFAEEK

RESPONDENTS:

1. THE TAHSILDAR,
TALUK OFFICE, MUVATTUPUZHA.
2. GEORGE, S/O. K.M. GEORGE,
KOCHUPARAMBIL HOUSE, MANAKKAD, THODUPUZHA.

R1 BY ADV. SRI. RAMPRASAD UNNI, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
29-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

DAMA SESHADRI NAIDU, J.

W.P. (C) No. 1866 of 2006

Dated this the 29th day of July, 2015.

JUDGMENT

Heard the learned counsel for the petitioner and the learned Government Pleader, apart from perusing the record.

2. The petitioner, the owner of certain immovable property, having stood as a guarantor for the second respondent, received a notice dated 19.07.2005 from the first respondent to show cause why his property should not be auctioned for realising abkari dues of the second respondent for the year 1989–1990. Though the petitioner submitted Ext.P3 reply, the first respondent went ahead and issued Ext.P4 order. Eventually, when the first respondent initiated revenue recovery proceedings, the petitioner has filed the present writ petition.

3. The learned Government Pleader on behalf of the first respondent filed a statement to the effect that the abkari arrears, in course of time, had been cleared, and that the attachment of the properties of the defaulters, including the petitioner's, was lifted on 14.12.2012 through proceedings under Section 42 of the Kerala

Revenue Recovery Act.

Going by the statement filed by the respondents, it is clear that the cause espoused in the present writ petition no longer survives. In the facts and circumstances, the writ petition stands closed as having not survived for further consideration.

sd/- DAMA SESHADRI NAIDU, JUDGE.

rv

