

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE MR.JUSTICE THOTTATHIL B.RADHAKRISHNAN
&
THE HONOURABLE MR.JUSTICE K.HARILAL**

MONDAY, THE 2ND DAY OF MARCH 2015/11TH PHALGUNA, 1936

WA.No. 525 of 2008 (C) IN WP(C).36645/2007

**AGAINST THE ORDER/JUDGMENT IN WP(C) 36645/2007 of HIGH COURT OF KERALA
DATED 25-02-2008**

APPELLANT(S)/RESPONDENTS:

- 1. THE STATE OF KERALA,
REPRESENTED BY ITS CHIEF SECRETARY, GOVT.OF KERALA,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.**
- 2. SECRETARY,
TAXES (H) DEPARTMENT, GOVT.OF KERALA,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.**
- 3. COMMISSIONER OF COMMERCIAL TAXES,
COMMERCIAL TAXES DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.**
- 4. THE DIRECTOR,
KERALA STATE LOTTERIES, GOVERNMENT OF KERALA,
THIRUVANANTHAPURAM.**
- 5. THE DEPUTY COMMISSIONER,
COMMERCIAL TAXES DEPARTMENT, PALAKKAD.**
- 6. THE ASSISTANT COMMISSIONER (ASSESSMENT),
COMMERCIAL TAXES, SPECIAL CIRCLE, PALAKKAD.**

BY SRI.K.P.DANDAPANI, ADVOCATE GENERAL

RESPONDENT(S)/PETITIONER & RESPONDENT NO.7:

- 1. A. JOHN KENNEDY,
PROPRIETOR, MEGHA DISTRIBUTOR, OFFICE AT 15/650,
KUNNATHUR MEDU, COIMBATORE MAIN ROAD, PALAKKAD.**
- 2. ROYAL GOVERNMENT OF BHUTAN,
MINISTRY OF FINANCE, DIRECTORATE OF LOTTERIES,
PHUENTSHOLING, BHUTAN, REPRESENTED BY ITS
DEPUTY SECRETARY.**

R BY SRI.A.KUMAR

**THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 02-03-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

DG

**THOTTATHIL B.RADHAKRISHNAN &
K.HARILAL, JJ.**

W.A.No.525 of 2008

Dated this the 2nd day of March, 2015

J U D G M E N T

Thottathil B.Radhakrishnan, J.

Inasmuch as the directions contained in the impugned judgment have been complied with by the State Government and advance tax under the Kerala Tax on Paper Lotteries Act, 2005 was accepted from the writ petitioner in relation to the lotteries of the 7th respondent, Royal Government of Bhutan, this writ appeal has become infructuous and nothing survives, as rightly pointed out by the learned Advocate General as well.

In the light of the aforesaid submissions on behalf of the parties to this matter, this writ appeal is dismissed as infructuous.

Sd/-
(THOTTATHIL B.RADHAKRISHNAN, JUDGE)

Sd/-
(K.HARILAL, JUDGE)

//TRUE COPY//

P.A TO JUDGE