

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN

&

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

FRIDAY, THE 25TH DAY OF SEPTEMBER 2015/3RD ASWINA, 1937

WA.No. 541 of 2011 () IN WP(C).1009/2011

AGAINST THE JUDGMENT IN WP(C) 1009/2011 DATED 23-02-2011

APPELLANT(S)/PETITIONER :-

C.VIJAYAKUMAR, COUNCILLOR, WARD No.26,
(FORMERLY COUNCILLOR, WARD NO.30)
NEYYATTINKARA MUNICIPALITY, NEYYATTINKARA
THIRUVANANTHAPURAM.

BY ADVS.SRI.B.S.SWATHY KUMAR
SMT.ANITHA RAVINDRAN

RESPONDENT(S)/RESPONDENTS :-

1. KERALA STATE ELECTION COMMISSION
THIRUVANANTHAPURAM - 695 001.
2. NEYYATTINKARA MUNICIPALITY,
NEYYATTINKARA, THIRUVANANTHAPURAM - 695 121
REP. BY ITS SECRETARY
3. S.S.JAYAKUMAR, GEETHA NIVAS,
ARALUMODU P.O., ATHIYANNUR VILLAGE
THIRUVANANTHAPURAM - 695 123
FORMER COUNCILLOR WARD NO.3
(PRESENT CHAIRMAN) NEYYATTINKARA MUNICIPALITY
THIRUVANANTHAPURAM.

R3 BY ADV. SMT.P.V.SOBHANA
R1 BY ADV. SRI.MURALI PURUSHOTHAMAN, SC, K.S.E.COMM
R2 BY ADV. SRI.PIRAPPANCODE V.S.SUDHIR

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 25-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

jvt

**ASHOK BHUSHAN, C.J &
A.M. SHAFFIQUE, J.**

W.A. No.541 of 2011

Dated this the 25th day of September 2015

J U D G M E N T

Shaffique, J.

Learned counsel for the appellant submits that the appellant is no more and since the cause of action does not survive to the legal heirs, this writ appeal has become infructuous.

Accordingly, this writ appeal is dismissed as infructuous.

**Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE**

**Sd/-
A.M. SHAFFIQUE
JUDGE**

Jvt/25.9.2015.