

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE AG.CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

MONDAY, THE 9TH DAY OF MARCH 2015/18TH PHALGUNA, 1936

WA.No. 198 of 2015 IN WP(C).29901/2014

AGAINST THE JUDGMENT IN WP(C) 29901/2014 DATED 25-11-2014

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APPELLANT/2ND RESPONDENT :

K.M.THOMAS, AGED 59 YEARS
SON OF MANI, RESIDING AT KOZHUPPANKUTTY HOUSE
MARANGOLY POST, PIN - 686 612, NJEEZHOO VILLAGE
VAIKOM TALUK, KOTTAYAM DISTRICT.

BY ADV. SRI.JOSE TOM C. KANDATHIL

RESPONDENTS/PETITIONER AND RESPONDENT NO. 2 :

1. GEORGE JOSEPH
SON OF JOSEPH, KOZHUPPANKUTTY HOUSE, MARANGOLY POST
PIN - 686 612, NJEEZHOO VILLAGE, KOTTAYAM DISTRICT.
2. THE SENIOR GEOLOGIST
DEPARTMENT OF MINING AND GEOLOGY, DISTRICT OFFICE
COLLECTORATE POST, KOTTAYAM - 686 612.

R1 BY ADVS. SRI.V.G.ARUN
SRI.T.R.HARIKUMAR
R2 BY SR.GOVERNMENT PLEADER, SRI.P.I. DAVIS

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 09-03-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

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

W.A. No. 198 OF 2015

Dated this the 9th day of March, 2015

JUDGMENT

Ashok Bhushan, Ag.C.J.

Heard both sides. This writ appeal has been filed against the judgment dated 25.11.2014 passed by learned Single Judge in W.P.(C) No.29901 of 2014.

2. The 2nd respondent is the appellant. The writ petitioner has submitted before us that under the order passed by learned Single Judge the petitioner conducted the quarrying operation till 19.01.2015 only and thereafter there has been no renewal or any further order for continuing the operation. He submits that in view of the above facts and circumstances the Writ Appeal has become infructuous. It is further submitted that petitioner's application for renewal is pending.

Be that as it may, in view of the subsequent event, we see no reason to adjudicate the matter. The Writ Appeal is closed giving liberty to the parties to adjudicate their right as and when any cause of action arises.

**Ashok Bhushan,
Acting Chief Justice.**

**A.M. Shaffique,
Judge.**