

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

MONDAY, THE 31ST DAY OF AUGUST 2015/9TH BHADRA, 1937

WA.No. 922 of 2015 () IN WP(C).11365/2015

AGAINST THE ORDER IN WP(C) 11365/2015 DATED 17.4.2015

APPELLANTS/RESPONDENTS 2 AND 3 :-

1. THE SECRETARY, KALPETTA MUNICIPALITY
KALPETTA P.O., WAYANAD DISTRICT.
2. KALPATTA MUNICIPAL COUNCIL
KALPATTA MUNICIPALITY, REPRESENTED BY ITS SECRETARY
KALPATTA P.O, WAYANAD DISTRICT.

BY ADV. SRI.SUNNY MATHEW

RESPONDENT(S)/PETITIONER AND 1ST RESPONDENT :-

1. THE KERALA STATE BEVERAGES (MANUFACTURING AND MARKETING)
CORPORATION LTD, PB.NO.2263,
SASTHAKRIPA OFFICE COMPLEX, SASTHAMANGALAM P.O.
TRIVANDRUM - 695 010
REPRESENTED BY ITS REGIONAL MANAGER C-2
MR.G.MOHANAN.
2. THE SECRETARY
LOCAL SELF GOVERNMENT DEPARTMENT
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM - 695 001.

R2 BY SPL.GOVERNMENT PLEADER SMT.GIRIJA GOPAL
R1 BY SRI.C.S.AJITH PRAKASH, SC

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 31-08-
2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

jvt

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

W.A. No.922 of 2015

Dated this the 31st day of August 2015

J U D G M E N T

Ashok Bhushan, CJ.

This writ appeal has been filed by the Municipality against the interim order dated 17.4.2015 in W.P.(C) No.11365 of 2015, wherein, the learned Single Judge has directed the Corporation to continue with its business for three months.

2. Learned counsel appearing for the Corporation submits that the Corporation has taken a decision to close down the shop in the existing premises and the Corporation shall shift the business to certain other premises. In view of the above submission made by the learned counsel for the Corporation, the relief sought for in the writ appeal has virtually become infructuous.

3. Learned counsel for the appellants has pointed out that in view of the order passed by the Division Bench of this Court on 8.5.2015, the shop is not functioning as on date.

Under such circumstances, we are of the view that this writ appeal deserves to be closed and is hereby closed.

**ASHOK BHUSHAN
CHIEF JUSTICE**

**A.M. SHAFFIQUE
JUDGE**