

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN

&

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

THURSDAY, THE 10TH DAY OF SEPTEMBER 2015/19TH BHADRA, 1937

WA.No. 1352 of 2014 () IN WP(C).24789/2011

AGAINST THE ORDER/JUDGMENT IN WP(C) 24789/2011 of HIGH COURT OF
KERALA DATED 10-06-2014

APPELLANT(S)/RESPONDENT:

THE UNION OF INDIA
REP. BY THE SECRETARY TO GOVERNMENT
MINISTRY OF HOME AFFAIRS
(FREEDOM FIGHTER'S DIVISION), LOK NAYAK BHAWAN
KHAN MARKET, NEW DELHI -110 001.

BY ADV. SRI.S.KRISHNAMOORTHY, CGC

RESPONDENT(S)/PETITIONER:

PULUKKOOOL KRISHNAN NAIR
S/O.KRISHNAN NAIR, THALIYIL HOUSE
PAYYAVOOR P.OKANNUR - 679 633.

R1 BY ADV. SRI.SEBASTIAN JOSEPH (KURISUMMOOTTIL)
R1 BY ADV. SRI.GRASHIOUS KURIAKOSE (SR.)
BY SRI.V.C.JAMES

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON
10-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

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

W.A.No. 1352 of 2014

Dated this the 10th September, 2015

JUDGMENT

Ashok Bhushan, CJ.

This Writ Appeal has been filed against the judgment dated 10.6.2014 by which judgment the learned Single Judge has directed the respondent/appellant to recompute the benefits and disburse the due amount to the petitioner.

2. It has been submitted before us that the petitioner has died on 3.3.2012, i.e., during the pendency of the Writ Petition, but steps were not taken to bring the legal heirs on record. It is submitted by the learned counsel, who was appearing for the writ petitioner that the petitioner did not leave behind him any legal heirs.

3. The petitioner being dead and the Writ Petition itself had abated, we are of the view that the judgment of

the learned Single Judge dated 10.6.2014 deserves to be set aside on this ground alone. Consequently, the Writ Appeal is allowed and the judgment of the learned Single Judge dated 10.6.2014 is set aside.

**ASHOK BHUSHAN
CHIEF JUSTICE**

**A.M.SHAFFIQUE
JUDGE**

vgs10/9/15