

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

FRIDAY, THE 16TH DAY OF JANUARY 2015/26TH POUSHA, 1936

WP(C).No. 3513 of 2013 (L)

PETITIONER(S):

1. ISSAC VARGHESE,
S/O.VARGHESE, BLOCK NO.170, MUNDIYERUMA,
KALLAR. P.O, NEDUMKANDOM, IDUKKI DISTRICT.
2. P.G. RAVEENDRANATH,
S/O.GOPINATHAN NAIR, PUTHENPURACKAL HOUSE,
NEDUMKANDOM. P.O, IDUKKI DISTRICT.
3. MARIKUTTY JOHN,
W/O.JOHN, KARIYATTU HOUSE, NEDUMKANDOM,
NEDUMKANDOM. P.O, IDUKKI DISTRICT.

BY ADV. DR.PAULY MATHEW MURICKEN.

RESPONDENT(S):

1. NEDUMKANDOM GRAMA PANCHAYATH,
NEDUMKANDOM. P.O, IDUKKI DISTRICT,
PIN:685 553, REP. BY ITS SECRETARY.
2. THE SECRETARY & ESTATE OFFICER,
NEDUMKANDOM GRAMA PANCHAYATH,
IDUKKI DISTRICT, PIN:685 553.
3. DEPUTY DIRECTOR OF PANCHAYATHS,
THODUPUZZHA, IDUKKI DISTRICT, PIN-685 584.

**R1 & R2 BY ADVS. SRI.MATHEW JOHN,
SRI.DOMSON J.VATTAKUZHAY.
R3 BY GOVT. PLEADER SMT.SANJEETHA. K.A.**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 16-01-2015, ALONG WITH WP(C).NO.4503 OF 2013, THE COURT
ON THE SAME DAY DELIVERED THE FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT.P1 COPY OF THE RECEIPT DATED 23/03/2011 ISSUED TO THE 1ST PETITIONER BY THE 1ST RESPONDENT EVIDENCING THE PAYMENT OF RENT BY THE 1ST PETITIONER FOR THE PERIOD FROM AUGUST 2010 TO MARCH 2011 IN RESPECT OF SHOP ROOM NO.8.
- EXT.P2 COPY OF THE RECEIPT DATED 31/01/2012 ISSUED BY THE 1ST RESPONDENT EVIDENCING THE REMITTANCE OF RENT BY THE 2ND PETITIONER FOR THE YEAR 2011-2012 JANUARY/ FEBRUARY.
- EXT.P3 COPY OF THE LEASE DEED DATED 29/10/2009 ENTERED INTO BY THE 1ST RESPONDENT WITH THE 3RD PETITIONER FOR THE YEAR 2009-2010 IN RESPECT OF SHOP ROOM NO.6.
- EXT.P4 COPY OF THE NOTICE DATED 21/10/2009 ISSUED TO THE 3RD PETITIONER BY THE 1ST RESPONDENT.
- EXT.P5 COPY OF THE RECEIPT DATED 18/11/2009 ISSUED BY THE 1ST RESPONDENT EVIDENCING THE PAYMENT OF RS.1476/- BY THE 3RD PETITIONER.
- EXT.P6 SERIES: COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER ON 28/01/2013 BEFORE THE 2ND RESPONDENT.
- EXT.P7 COPY OF THE RECEIPTS ISSUED TO THE PETITIONERS BY THE 2ND RESPONDENT ON 28/01/2013.
- EXT.P8 COPY OF THE NOTICE DATED 25/01/2013 ISSUED TO THE 3RD PETITIONER BY THE 1ST RESPONDENT.

RESPONDENT'S EXHIBITS:-

- EXT.R1A COPY OF THE RESOLUTION NO.3(2) OF THE PANCHAYATH DATED 28/03/2012.
- EXT.R1B COPY OF THE RESOLUTION NO.3(3) OF THE 1ST PANCHAYATH DATED 28/03/2012.
- EXT.R1C COPY OF THE SHOW CAUSE NOTICE DATED 21/04/2012 ISSUED BY THE PANCHAYATH TO SMT.SATHI.
- EXT.R1D COPY OF THE ENDORSEMENT ON THE REVERSE OF EXT.R1(C).
- EXT.R1E COPY OF THE NOTICE DATED 20/07/2012 TO SMT.SATHI.

- EXT.R1F COPY OF THE ENDORSEMENT ON THE REVERSE OF EXT.R1(E).
- EXT.R1G COPY OF THE PETITION DATED 27/07/2012 BY SMT.SATHI BEFORE THE PRESIDENT OF THE 1ST RESPONDENT GRAMA PANCHAYATH.
- EXT.R1H COPY OF THE NOTICE DATED 23/01/2013 BY THE 1ST RESPONDENT GRAMA PANCHAYATH.
- EXT.R1I COPY OF THE SHOW CAUSE NOTICE DATED 21/04/2012 ISSUED BY THE PANCHAYATH TO SMT.SHALI DEVADAS.
- EXT.R1J COPY OF THE ENDORSEMENT ON THE REVERSE OF EXT.R1(I).
- EXT.R1K COPY OF THE PETITION DATED 27/04/2012 BY SMT.SHALI DEVADAS BEFORE THE PRESIDENT OF THE 1ST RESPONDENT GRAMA PANCHAYATH.
- EXT.R1L COPY OF THE NOTICE DATED 20/07/2012 TO SMT.SHALI DEVADAS BY THE 1ST RESPONDENT.
- EXT.R1M COPY OF THE ENDORSEMENT DATED 21/07/2012 ON THE REVERSE OF EXT.R1(I).
- EXT.R1N COPY OF THE NOTICE DATED 23/01/2013 BY THE 1ST RESPONDENT GRAMA PANCHAYATH.
- EXT.R1O COPY OF THE SHOW CAUSE NOTICE DATED 21/04/2012 ISSUED BY THE PANCHAYATH TO SMT.MARYKUTTY JOHN.
- EXT.R1P COPY OF THE ENDORSEMENT ON THE REVERSE OF EXT.R1(O).
- EXT.R1Q COPY OF THE NOTICE DATED 20/07/2012 TO SMT.MARYKUTTY JOHN BY THE 1ST RESPONDENT.
- EXT.R1R COPY OF THE ENDORSEMENT DATED 21/07/2012 ON THE REVERSE OF EXT.R1(Q).
- EXT.R1S COPY OF THE NOTICE DATED 23/01/2013 BY THE 1ST RESPONDENT GRAMA PANCHAYATH.

//TRUE COPY//

P.A TO JUDGE

rs.

DAMA SESHADRI NAIDU, J.

W.P.(c) No. 3513 of 2013

&

W.P. (c) No. 4503 of 2013

Dated this the 16th day of January, 2015

JUDGMENT

The learned Standing Counsel for the respondent Grama Panchayat has reported that nothing survives in the writ petitions, inasmuch as subsequent to filing of the writ petitions, they have executed fresh lease deeds, thereby incorporating fresh set of conditions, in so far as tenancy is concerned. The learned counsel for the petitioners has concurred with the submission of the learned Standing Counsel for the respondent Grama Panchayat.

Therefore, since nothing remains in these writ petitions, they are closed as having not survived for further consideration.

**DAMA SESHADRI NAIDU
JUDGE**

DMR/-