

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRA

THURSDAY, THE 28TH DAY OF MAY 2015/7TH JYAISHTA, 1937

WP(C).No. 7355 of 2008 (A)

PETITIONER(S):

**K.K.GOPINATHAN NAIR
`AYYAPPA JYOTHI, NO.7, GIRINAGAR NORTH
ERNAKULAM, KOCHI-20, (FROM SREEKRISHNA VILAS
MYLAPRA TOWN P.O., PATHANAMTHITTA).**

**BY ADVS.DR.K.P.SATHEESAN
SRI.M.R.JAYAPRASAD
SRI.P.MOHANDAS (ERNAKULAM)**

RESPONDENT(S):

**STATE OF KERALA
REPRESENTED BY THE PRINCIPAL SECRETARY TO GOVERNMENT
REVENUE (A) DEPARTMENT, GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM.**

BY ADV. SOJAN JAMESE, SENIOR GOVERNMENT PLEADER

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 28-05-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

JV

ANIL K. NARENDRAN, J.

W.P.(C) No.7355 of 2008

Dated this the 28th day of May, 2015

JUDGMENT

The petitioner has filed this writ petition mainly seeking a writ of certiorari to quash Ext.P11 Government Order dated 18.02.2008 by which he was informed that the Government are compelled to resume 6.43 acres of land in Survey No.702/1-06 in Vadasserikkara Village in Ranni Taluk in order to realise the arrear rent due to the Government from 01.08.1983 onwards. On 04.03.2008, this Court granted stay of operation of Ext.P11 order for a period of three months which was extended until further orders on 03.09.2008.

2. Now the petitioner has filed IA No.6634/2015 seeking an order to permit him to withdraw the writ petition in the light of Exts.P15 and P16 produced alongwith that I.A.

3. A reading of the affidavit accompanying to IA No.6634/2015 would show that pursuant to an appeal made by the Chief Minister of Kerala, which appeared in Malayala Manorama Daily dated 24.12.2013, requesting the public to

extent co-operation for implementing the Government's Scheme called 'No landless people in Kerala', the writ petitioner wrote Ext.P15 letter, informing that he is ready and willing to withdraw the writ petition so as to enable the Government to resume the land which is the subject matter of this writ petition, which can be utilised for allotting land to not less than 200 landless persons under the aforesaid scheme. In response to Ext.P15, the District Collector, Pathanamthitta informed the petitioner vide Ext.P16 communication dated 08.04.2015 that if the petitioner withdraws this writ petition and unconditionally vacates the land, the same will be utilised for the scheme 'No landless people in Kerala'. Ext.P7 receipt produced alongwith the interlocutory application would further show that the 'Kuthakappattom fee' in respect of the property in question is being remitted by the petitioner without any default. It is in the light of the undertaking given by the District Collector, Pathanamthitta, in Ext.P16, the petitioner seeks permission to withdraw this writ petition.

4. Heard the learned Senior Counsel for the petitioner and also the learned Senior Government Pleader appearing for the respondents.

Considering the facts and circumstances of the case, the

petitioner is permitted to withdraw this writ petition in the light of Exts.P15 and P16.

In the result, the Writ petition is dismissed as withdrawn in view of the undertaking given in Ext.P16.

SD/-
ANIL K. NARENDHAN,
JUDGE

JV