

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

WEDNESDAY, THE 20TH DAY OF MAY 2015/30TH VAISAKHA, 1937

WP(C).No. 5936 of 2015 (N)

PETITIONER : -

M/S.RUBY ARENA EXECUTIVE LOUNGE & BEER PARLOUR,
UNIT OF HOTEL RUBY ARENA,
NEW INTERNATIONAL TERMINAL BUILDING,
TRIVANDRUM INTERNATIONAL AIRPORT,
THIRUVANANTHAPURAM,
REP. BY ITS CHIEF EXECUTIVE OFFICER DR. KAVITHA SEKHAR.

BY ADVS.SRI.S.VINOD BHAT
SRI.LEGITH T.KOTTAKKAL

RESPONDENTS : -

1. AIRPORT AUTHORITY OF INDIA,
HAVING ITS REGISTERED OFFICE AT RAJIV GANDHI BHAVAN,
SAFDARJUNG AIRPORT, NEW DELHI-110 037.
2. AIRPORT DIRECTOR,
THIRUVANANTHAPURAM INTERNATIONAL AIRPORT,
THIRUVANANTHAPURAM-695 008.
3. THE EXCISE COMMISSIONER,
COMMISSIONERATE OF EXCISE,
NANDAVANAM, PALAYAM PO.,
THIRUVANANTHAPURAM-695 001.

R1 & 2 BY ADV.SRI.V.SANTHARAM
R3 BY GOVERNMENT PLEADER SRI. T.R. RAJESH

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
20-05-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S' EXHIBITS : -

- EXT P1 : COPY OF THE LETTER NO.AAT/COM/3(23.5)2014/942 DATED
24-12-2014 ISSUED BY THE 3RD RESPONDENT.
- EXT P2 : COPY OF THE LETTER DATED 29-12-2014 ISSUED BY THE
PETITIONER.
- EXT P3 : COPY OF LETTER NO.AAT/COM/3(23.5)5 DATED 01-01-2015 ISSUED
BY THE 2ND RESPONDENT.
- EXT P4 : COPY OF NOTICE NO.XC7-418/15 DATED 18-02-2015 ISSUED BY THE
3RD RESPONDENT.

RESPONDENTS' EXHIBITS : -

- EXHIBIT R1(a) : COPY OF THE COMMUNICATION NO.AAT/COM/3(23.5) 228
DATED 19.03.2015, ISSUED TO THE 3rd RESPONDENT.

// TRUE COPY //

P.A. TO JUDGE

DMR/-

DAMA SESHADRI NAIDU, J.

W.P.(c) No. 5936 of 2015

Dated this the 20th day of May, 2015

JUDGMENT

Initially, the petitioner filed the writ petition assailing Exhibit P3 dated 01.01.2015 and the consequential Exhibit P4 dated 18.02.2015, through which permissions/NOC issued by the Airport Authority of India was withdrawn.

2. Later, having filed counter affidavit, the respondents have placed on record Exhibit R1(a) dated 19.03.2015, through which Exhibit P3 was withdrawn. Since Exhibit P4 is only consequential to Exhibit P3, in the face of withdrawal of Exhibit P3, needless to observe, it does not survive.

In the facts and circumstances, since the grievance of the petitioner has already stood redressed through Exhibit R1(a), I do not find anything further surviving in the writ petition. Accordingly, it is closed as having become infructuous.

**DAMA SESHADRI NAIDU
JUDGE**

DMR/-