

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

TUESDAY, THE 8TH DAY OF SEPTEMBER 2015/17TH BHADRA, 1937

WP(C).No. 13670 of 2010 (G)

PETITIONER:

TOMY JOSEPH, CHERKOTTU HOUSE,
ARAKKUZHA, MUVATTUPUZHA,
ERNAKULAM DISTRICT.

BY ADVS.DR.K.P.SATHEESAN
SRI.K.K.GOPINATHAN NAIR

RESPONDENTS:

1. THE COMMISSIONER OF EXCISE,
EXCISE COMMISSIONERATE,
THIRUVANANTHAPURAM.
2. THE DPUTY COMMISSIONER OF EXCISE,
KOLLAM.
3. THE ASSISTANT EXCISE COMMISSIONER,
KOLLAM.
4. THE CIRCLE INSPECTOR OF EXCISE,
EXCISE OFFICE, KOLLAM.

BY GOVERNMENT PLEADER SRI.G.GOPAKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
08-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

Dama Seshadri Naidu, J.

W.P.(C)No.13670 of 2010 G

Dated this the 8th day of September, 2015

JUDGMENT

The petitioner, being the Managing Partner of Hotel Zodiac Regency, Kollam, which had an FL-3 licensee for the Abkari year 2010-11, filed the present writ petition assailing the criminal proceedings in Crime No.38/2010 under Section 56(b) of the Abkari Act. The writ petition was filed in 2010.

2. Today, the learned Government Pleader passed on at the Bar the written instructions to the effect that in the course of time the crime had been compounded and the proceedings were closed on 11.04.2011 pursuant to payment of compounding fee of ₹ 25,000/- by the petitioner.

3. The learned counsel for the petitioner has submitted that recording the said submission of the learned

Government Pleader, this Court may close the writ petition.

In the facts and circumstances, in the light of the written instructions obtained by the learned Government Pleader that the crime had already been compounded, this Court closes the writ petition as having not survived for further consideration.

Dama Seshadri Naidu, Judge

tkv