

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

THURSDAY, THE 9TH DAY OF APRIL 2015/19TH CHAITHRA, 1937

WP(C).No. 10687 of 2015 (I)

PETITIONER:

V.K.HAMZA, S/O.UNNEEN, V.K.HOUSE,
EDAYUR (PO) PIN, TIRUR TALUK,
MALAPPURAM DISTRICT.

BY ADV. SRI.JAMSHEED HAFIZ

RESPONDENT:

TIRUR MUNICIPALITY,
TIRUR (PO), PIN-676 101,
MALAPPURAM DISTRICT
REPRESENTED BY SECRETARTY.

BY ADV.SRI.K.I.ABDUL RASHEED

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
09-04-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN WP(C).No. 10687 of 2015 (I)

PETITIONER'S EXHIBITS:

EXT.P1- A TRUE COPY OF THE AGREEMENT ENTERED INTO BETWEEN THE PETITIONER HEREIN AND THE RESPONDENT DATED 1.10.2014.

EXT.P2- A TRUE COPY OF THE REPRESENTATION FILED BY THE PETITIONER BEFORE THE RESPONDENT DATED 8.12.2014 ALONG WITH THE ACKNOWLEDGMENT DUE.

EXT.P3- A TRUE COPY OF THE REPRESENTATION FILED BY THE PETITIONER DATED 17.1.2015 ALONG WITH ACKNOWLEDGEMENT DUE.

EXT.P4- A TRUE COPY OF THE RECEIPT FOR THE MORTGAGING GOLD BEFORE THE PONNANI COOPERATIVE URBAN BANK LTD. DATED 9.8.2014.

RESPONDENT'S EXHIBITS: NIL.

/TRUE COPY/

P.S. TO JUDGE

Dama Seshadri Naidu, J.

W.P.(C)No.10687 of 2015 I

Dated this the 9th day of April, 2015

JUDGMENT

The petitioner, a resident of Tirur Taluk of Malappuram District, initially took on lease the Cloak Room and the Comfort Station of Tirur bus stand. Once the lease period came to an end, the petitioner is said to have submitted Exhibits P2 and P3 representations seeking extension of the lease period on the ground that the possession of the lease hold property was given to the him belatedly. He has also sought stay of further proceedings until Exhibits P2 and P3 representations are considered.

2. The learned Standing Counsel for the respondent Municipality has, however, submitted that the property has already been leased out to a successful bidder who was effectively inducted into possession of the same. According to him, the very writ petition has become infructuous.

3. Be that as it may, it is not in dispute that Exhibits P2 and P3 representations submitted by the petitioner are pending consideration before the respondent Municipality. In the facts and circumstances, it only meets the ends of justice if the respondent passes appropriate orders thereon.

Accordingly, the writ petition is disposed of with an observation that the respondent Municipality shall consider Exhibits P2 and P3 and pass appropriate orders thereon as expeditiously as possible.

Dama Seshadri Naidu, Judge

tkv