

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

TUESDAY, THE 29TH DAY OF SEPTEMBER 2015/7TH ASWINA, 1937

WP(C).No. 14614 of 2010 (B)

PETITIONER:

V.X.BENEDICT, VALIYAVEETIL HOUSE,
PALLIPORT.P.O., ERNAKULAM DISTRICT.

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

RESPONDENTS:

1. THE COMMISSIONER OF EXCISE,
EXCISE COMMISSIONERATE, THIRUVANANTHAPURAM.
2. THE DEPUTY COMMISSIONER OF EXCISE,
ERNAKULAM.
3. T.B.PRADEEP,
THYVALAPPIL HOUSE, PADIYAM.P.O., THRISSUR DISTRICT.

R,R3 BY ADV. SRI.M.G.KARTHIKEYAN
R,R3 BY ADV. SRI.NIREESH MATHEW
R,R1 & R2 BY ADV. SRI. G. GOPAKUMAR, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
29-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

DAMA SESHADRI NAIDU, J.

W.P. (C) No. 14614 of 2010 (B)

Dated this the 29th day of September, 2015.

JUDGMENT

Heard the learned counsel for the petitioner, the learned Government Pleader, and the learned counsel for the third respondent, apart from perusing the record.

2. The petitioner, a resident of the Pallipuram Grama Panchayath, has a grievance that the third respondent is running a toddy shop violating the distance norms. Questioning the inaction of the respondent authorities in that regard, the petitioner has filed the present writ petition.

3. The learned Government Pleader, on instructions, has submitted that the toddy shop is not functioning. According to him, no purpose will be served if the writ petition is kept pending.

4. The learned counsel for the third respondent, on the other hand, has submitted that despite his best efforts, he could not contact the third respondent to get instructions whether the toddy shop is still functioning.

Be that as it may, the learned Government Pleader on

instructions has submitted that the toddy shop is not functioning. Recording the said submission, this Court closes the writ petition as having not survived for consideration.

sd/- DAMA SESHADRI NAIDU, JUDGE.

/True Copy/

P.A to Judge.

