

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

THURSDAY, THE 16TH DAY OF JULY 2015/25TH ASHADHA, 1937

WP(C).No. 16968 of 2010 (U)

PETITIONER(S):

**DR.K. SUBASH, KALPADRUMA HOSPITAL,
EDAPPAZHANJI, THIRUVANANTHAPURAM.**

**BY ADVS.SMT.SREEDEVI KYLASANATH,
SRI.V.SADASIVAN,
SMT.V.J.SAFEENA.**

RESPONDENT(S):

- 1. LAL KUMAR, T.C.16/431-1,
KADAYIL VEEDU, EDAPPAZHANJI,
THIRUVANANTHAPURAM.**
- 2. KERALA LOK AYUKTA,
REPRESENTED BY ITS SECRETARY,
THIRUVANANTHAPURAM.**
- 3. THE EXECUTIVE ENGINEER,
MINOR IRRIGATION DIVISION,
THIRUVANANTHAPURAM.**
- 4. THE ASSISTANT ENGINEER,
MINOR IRRIGATION DIVISION,
THIRUVANANTHAPURAM.**
- 5. THE TAHSILDAR, TALUK OFFICE,
THIRUVANANTHAPURAM.**

**R1 BY ADVS. SRI.D.SAJEEV,
SMT.LIGEY ANTONY.
R2 TO R5 BY GOVT. PLEADER SRI.S. JAMAL.**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 16-07-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT.P1 COPY OF THE RELEVANT PART OF PARTITION DEED SHOWING THE SURRENDER OF ONLY 600SQ. LINKS OF LAND IN SY. NO.706C AND 1.966CENTS IN W. NO.725.
- EXT.P2 COPY OF THE SKETCH SHOWING THE PROPERTY AND DRAIN.
- EXT.P3 COPY OF THE ORDER DATED 6TH JANUARY 2010 OF UPA LOK AYUKTA IN COMPLAINT NO.1234/2008.
- EXT.P4 COPY OF THE COMPLAINT FILED BY PETITIONER BEFORE LOK AYUKTA.

RESPONDENT'S EXHIBITS:-

- EXT.R4A COPY OF THE LETTER DATED 16/04/2008.
- EXT.R4B COPY OF THE LETTER DATED 16/04/2008.
- EXT.R4C COPY OF THE LETTER DATED 12/05/2008.

//TRUE COPY//

PA. TO JUDGE

rs.

K. VINOD CHANDRAN, J.

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W.P.(C) No.16968 of 2010 - U

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Dated this the 16th day of July, 2015

J U D G M E N T

The petitioner challenged the order of the Lok Ayukta. An interim order was passed in the following lines:

Notice and interim stay to the extent the impugned order directs eviction of the petitioner. But the Tahsildar shall continue to proceed in accordance with the Kerala Land Conservancy Act and Rules, as stated in the counter affidavit filed before the Loy Ayuktha, expeditiously.

In such circumstance, nothing survives in the writ petition. If an order has been passed under the Kerala Land Conservancy Act, 1957, then it is for the petitioner to challenge that order. Hence the writ petition would stand dismissed.

**Sd/-
K. VINOD CHANDRAN,
JUDGE**

SB

// true copy //

P.A to Judge.