

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI**

**MONDAY, THE 7TH DAY OF SEPTEMBER 2015/16TH BHADRA, 1937**

**WP(C).No. 30428 of 2004 (V)**  
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**PETITIONER(S) :**  
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**MALAVAKANDI MOOSA, S/O.ABDURAHIMAN,  
AGED 76 YEARS, PALODANKANDIYIL, POST NADAPURAM,  
(VIA) BADAGARA, CALICUT DISTRICT, KERALA.**

**BY ADV. SRI.MOHAMMED RAFIQ**

**RESPONDENT(S) :**  
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- 1. THE UNION OF INDIA,  
REPRESENTED BY THE SECRETARY,  
MINISTRY OF HOME AFFAIRS, NEW DELHI.**
- 2. THE STATE OF KERALA,  
REPRESENTED BY THE CHIEF SECRETARY,  
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.**
- 3. THE SUPERINTENDENT OF POLICE,  
KOZHIKODE.**
- 4. THE SUB INSPECTOR OF POLICE,  
NADAPURAM.**

**R1 BY ADV. SRI.N.NAGARESH, ASG OF INDIA  
ADV. SRI.DINESH R.SHENOY, CGC**

**R2 TO R4 BY SR.GOVERNMENT PLEADER SRI.SAIDALAVI**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD  
ON 07-09-2015, THE COURT ON THE SAME DAY DELIVERED  
THE FOLLOWING:**

Msd.

**WP(C).No. 30428 of 2004 (V)**  
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**APPENDIX**

**PETITIONER(S)' EXHIBITS :**  
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**EXHIBIT P1: TRUE COPY OF THE PETITION DATED 21ST SEPTEMBER, 2004  
FILED BY THE PETITIONER BEFORE THE FIRST RESPONDENT  
UNDER SECTION 9(2) OF THE CITIZENSHIP ACT.**

**EXHIBIT P1(A):TRUE COPY OF POSTAL RECEIPT DATED 21.09.2004.**

**RESPONDENT(S)' EXHIBITS :**  
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**NIL**

**//TRUE COPY//**

**P.A.TO JUDGE.**

Msd.

**A.V.RAMAKRISHNA PILLAI, J.**

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W.P(C) No.30428 of 2004

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Dated this the 7<sup>th</sup> day of September, 2015

**JUDGMENT**

The learned counsel for the petitioner submitted that the petitioner is no more. The prayer in the writ petition is for a stay of all proceedings for arrest, detention and deportation of the petitioner under the Foreigner's Act.

As the petitioner is no more, there is no surviving cause of action. Therefore, the writ petition is closed without going into the merits.

Sd/-

**A.V.RAMAKRISHNA PILLAI  
JUDGE**

krj