

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.T.SANKARAN

WEDNESDAY, THE 28TH DAY OF JANUARY 2015/8TH MAGHA, 1936

WP(C).No. 21135 of 2014 (N)

PETITIONER :

**ANITHA K. NAIR, AGED 37 YEARS
W/O. SURESH K.PILLAI,
RESIDING AT VAISHNAVI
THONALLOOR, PANDALAM,
PATHANAMTHITTA DISTRICT
PIN 689 501.**

BY ADV. SRI.K.SHAJ

RESPONDENTS :

- 1. KERALA SMALL INDUSTRIES DEVELOPMENT CORPORATION LTD.
REPRESENTED BY ITS MANAGING DIRECTOR
HOUSING BOARD BUILDING, 6TH FLOOR, SANTHI NAGAR
THIRUVANANTHAPURAM-695001.**
- 2. ESTATE MANAGER
MINI INDUSTRIAL ESTATE
KERALA SMALL INDUSTRIES DEVELOPMENT CORPORATION LTD.
KOLLAKADAVU-690 015.**

R1 & 2 BY ADV. SRI.R.T.PRADEEP

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
28-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

VS

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1 : THE TRUE COPY OF QUOTATION CUM AUCTION NOTICE DTD 7/8/2014 WITH REF NO ENJ/EVC/12008/PDLM/13 DTD 8/7/2014 ISSUED BY THE 2ND RESPONDENT

RESPONDENT(S)' EXHIBITS

ANNEXURE I : TRUE COPY OF PROCEEDINGS DATED 7.2.2009 BY WHICH THE SHEDS WERE ALLOTTED TO PETITIONER ON LEASE BASIS.

ANNEXURE II : TRUE COPY OF LEASE DEED DATED 11.3.2009 WITH PETITIONER.

ANNEXURE III : TRUE COPY OF NOTICE DATED 22.7.2013 FROM ESTATE MANAGER TO PETITIONER.

ANNEXURE IV : TRUE COPY OF COMMUNICATION DATED 23.8.2013 BY ESTATE MANAGER TO THE HEAD OF DIVISION.

ANNEXURE V : TRUE COPY OF TERMINATION ORDER DATED 7.10.2013 BY WHICH THE TENANCY WAS TERMINATED.

ANNEXURE VI : TRUE COPY OF SHOW CAUSE NOTICE DATED 11.11.2013 BY ESTATE OFFICER TO PETITIONER.

ANNEXURE VII : TRUE COPY OF EVICTION NOTICE DATED 7.1.2014 BY ESTATE OFFICER.

ANNEXURE VIII : TRUE COPY OF MAHZAR DATED 9.5.2014 AS TO THE EVICTION OF PETITIONER AND TAKING POSSESSION OF SHEDS.

ANNEXURE IX : TRUE COPY OF VALUATION REPORT DATED 17.6.2014 WITH RESPECT TO THE EVICTED ARTICLES.

/TRUE COPY/

PA TO JUDGE

VS

K.T.SANKARAN, J

W.P.(C) No.21135 of 2014

Dated this the 28th day of January, 2015

JUDGMENT

The writ petition is filed to quash Ext.P1 auction notice and also to issue a writ of mandamus directing the second respondent to accept the entire arrears in such monthly instalments as may be decided by the court.

2. The learned Counsel for the petitioner submitted that, all the dues payable to the first respondent have been paid and therefore the reliefs prayed for the writ petition have become infructuous.

The writ petition is accordingly dismissed as infructuous.

Sd/-
K.T.SANKARAN
JUDGE

/TRUE COPY/

PA TO JUDGE

VS