

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

THURSDAY, THE 10TH DAY OF DECEMBER 2015/19TH AGRAHAYANA, 1937

WP(C).No. 25107 of 2010 (K)

PETITIONERS :

1. K.K.PAULOSE, S/O.K.V.KURIAKOSE,
KULANGARA HOUSE, THURAVOOR P.O., ANGAMALY
ERNAKULAM DISTRICT.
2. A.V.VELAYUDHAN, S/O.VAYARONI,
ERUKKUMPURAM VEEDU, THURAVOOR P.O., ANGAMALY
ERNAKULAM DISTRICT.
3. THANKAMMA KUTTAPPAN, KUMBALATH VEEDU,
THURAVOOR P.O., ANGAMALY, ERNAKULAM DISTRICT.
4. N.R.CHANDRAN, S/O.RAMAN,
NEDUVELI VEEDU, THOTTAKAM, YORDHANAPURAM P.O.
KALADY, PIN-683574, ERNAKULAM DISTRICT.
5. N.P.SUBRAMANIYAN, S/O.PARAMESWARAM,
NEDUVELI VEEDU, THOTTAKAM, YORDHANAPURAM P.O.
KALADY, PIN-683574, ERNAKULAM DISTRICT.

BY ADV. SRI.KALEESWARAM RAJ

RESPONDENTS :

1. STATE OF KERALA, REPRESENTED BY
SECRETARY TO GOVERNMENT, DEPARTMENT OF, INDUSTRIES
SECRETARIAT, THIRUVANANTHAPURAM.
2. SECRETARY TO GOVERNMENT, DEPARTMENT OF
REVENUE, SECRETARIAT, THIRUVANANTHAPURAM.
3. DISTRICT COLLECTOR, ERNAKULAM.
4. LAND ACQUISITION OFFICER, (SPECIAL
TAHSILDAR, LAND ACQUISITION NATIONAL HIGHWAY II)
ALUVA-683101.

5. THE KERALA INDUSTRIAL INFRASTRUCTURE
DEVELOPMENT CORPORATION, REPRESENTED BY THE
MANAGING DIRECTOR, THE KERALA INDUSTRIAL
INFRASTRUCTURE DEVELOPMENT CORPORATION, KINFRA HOUSE
SASTHAMANGALAM, THIRUVANANTHAPURAM.
6. UNION OF INDIA, REPRESENTED BY
SECRETARY TO GOVERNMENT, MINISTRY OF, ENVIRONMENT
NEW DELHI.

R1 TO R4 BY SR.GOVERNMENT PLEADER, SIR.P.I. DAVIS.
R5 BY ADV. SRI.G.S.REGHUNATH, SC, KINFRA
R6 BY SRI. N. NAGARESH, ASSISTANT SOLICITOR GENERAL.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
10-12-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONERS' EXHIBITS:

EXT.P1 : TRUE COPY OF THE NOTIFICATION DATED 18.01.2010.

EXT.P2 : TRUE COPY OF THE NOTICE DATED 29.09.2009.

EXT.P3 : TRUE COPIES OF THE NOTICES DATED 13.07.2010.

EXT.P4 : TRUE COPIES OF THE NOTICES DATED 16.07.2010.

EXT.P5 : TRUE COPIES OF THE PHOTOS OF THE PADDY LANDS.

EXT.P6 : TRUE COPY OF THE REPORT APPEARED IN MATHRUBHUMI DAILY
DATED 30.07.2010.

RESPONDENTS' EXHIBITS :

NIL

/TRUE COPY/

PA TO JUDGE

Ashok Bhushan, C.J. & P.R.Ramachandra Menon, J.

W.P.(C) No. 25107 OF 2010

Dated this the 10th day of December, 2015

JUDGMENT

Ashok Bhushan, C.J.

This writ petition has been filed by the petitioners challenging the proceedings initiated for acquisition of land as contained in Ext.P1 notification dated 18.01.2010. The acquisition was for the purpose of "Kinfra Export Promotion Industrial Park".

2. Learned Standing Counsel for the 5th respondent Corporation Sri.G.S. Reghunath, for whom the land was sought to be acquired, has submitted that after issuance of the notification, no further steps were taken and they are not proceeding with the project any further.

3. In view of the aforesaid statement we are of the view that no purpose shall be served in keeping the Writ Petition pending. As the land acquisition having not been proceeding further, the Writ Petition has virtually become infructuous. Hence the Writ Petition is closed.

In view of the above we are not entering into any of the issues raised in this writ petition and all the issues are left open.

**Ashok Bhushan,
Chief Justice.**

**P.R.Ramachandra Menon,
Judge.**