

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

WEDNESDAY, THE 8TH DAY OF APRIL 2015/18TH CHAITHRA, 1937

WP(C).No. 25916 of 2014 (L)

PETITIONER : -

V. AMUDINI, AGED 56,
D/O.VASUMATHI, KALPAKASSERY VEEDU, \\
PROPRIETOR, DEVI FAST FOOD,
T.C 30/812, PUHEN ROAD, PETTAH P.O,
THIRUVANANTHAPURAM

BY ADVS.SRI.R.SUDHISSH
SMT.M.MANJU

RESPONDENTS : -

1. MUNICIPAL CORPORATION OF THIRUVANANTHAPURAM,
REPRESENTED BY ITS SECRETARY, VIKAS BHAVAN P.O.,
THIRUVANANTHAPURAM 695 033.

ADDL. R2 IMPEADED

ADDL. R2. B. LEELA, D/O.BHANUMATHY,
BHANU COTTAGE, T.C.30/811,
PETTA PO, THIRUVANANTHAPURAM – 24.
(ADDL.R2 IMPEADED AS PER ORDER DATED 29.10.2014 IN IA 13915/14).

R1 BY ADV.SRI.N.NANDAKUMARA MENON (SR.)
R1 BY ADV.SRI.P.K.MANOJKUMAR,SC,TVPM CORPORATION
R2 BY ADV.SRI.D.AJITHKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
08-04-2015, ALONG WITH WPC. 12509/2013, THE COURT ON THE SAME
DAY DELIVERED THE FOLLOWING:

DMR/-

DAMA SESHADRI NAIDU, J.

W.P.(c) No. 25916 of 2014
&
W.P. (C) No. 12509 of 2013

Dated this the 08th day of April, 2015

JUDGMENT

Both the writ petitions are dismissed as having become infructuous. At any rate, it is the submission of the learned counsel for the petitioner that owing to the expiry of tenancy as well as the trade licence, the respondent Corporation is said to have locked out the building.

2. The learned counsel for the petitioner seeks a direction from this Court to the respondent Corporation to permit the petitioner to take out her belongings so that the vacant possession could be handed over to the landlord.

3. The learned Senior Counsel for the respondent Corporation has submitted that insofar as taking out of the belonging is concerned, the Corporation may not have any substantial objection.

4. The learned counsel for the landlord has specifically contended that possession be delivered to the landlord alone, for which the learned counsel for the petitioner does not express any objection.

In the facts and circumstances, there shall be a direction to the respondent Corporation to permit the petitioner to take out her belongings from the demised premises; whereafter the landlord is at liberty to take possession of the property.

**DAMA SESHADRI NAIDU
JUDGE**

DMR/-