

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 26TH DAY OF JUNE 2015/5TH ASHADHA, 1937

WP(C).No. 35945 of 2009 (K)

PETITIONER :

**A.SULAIMAN RAWTHER, S/O. ADIMA RAWTHER,
ARUN NIVAS, MANGARAM, PANDALM,
PATHANAMTHITTA, DISTRICT.**

BY ADV. SRI.V.SETHUNATH

RESPONDENTS :

- 1. THE STATE OF KERALA, REPRESENTED BY
THE REVENUE SECRETARY, SECRETARIAT,
THIRUVANANTHAPURAM.**
- 2. THE DIRECTOR OF PANCHAYATH,
THIRUVANANTHAPURAM.**
- 3. THE DISTRICT COLLECTOR, PATHANAMTHITTA DISTRICT.**
- 4. THE DEPUTY DIRECTOR OF PANCHAYATH,
PATHANAMTHITTA.**

R1 TO R4 BY GOVERNMENT PLEADER SRI.E.M. ABDUL KHADER

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 26-06-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

bp

K. VINOD CHANDRAN, J.

=====

W.P.(C) No.35945 of 2009 - K

=====

Dated this the 26th day of June, 2015

J U D G M E N T

The above writ petition is filed in the year 2009, challenging the constitutional validity of the provisions of the Kerala Protection of River Banks and Regulation of Removal of Sand Act, 2001 (Act 18 of 2001) and the Rules of 2002. The petitioner had filed the above writ petition only since his intention to construct a building was frustrated by the provisions of the aforesaid Act, which interdicted proper supply of sand for his construction. In any event the said intention would have either been satisfied or scuttled as of now, since the writ petition itself is in the year 2009. None appears for the petitioner too.

W.P.(C) No.35945 of 2009 - K

Leaving open the issue with respect to the constitutionality, the writ petition would stand dismissed for default.

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

SB

// true copy //

P.A to Judge.