

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

FRIDAY, THE 20TH DAY OF NOVEMBER 2015/29TH KARTHIKA, 1937

WP(C).No. 34155 of 2015 (T)

PETITIONER(S):

**AHAMED MALIYACKEL,
S/O.LATE N.N. KHALID HAJI, AGED 53 YEARS,
44/472, THALASSERY -670 101.**

**BY ADVS.SRI.K.M.FIROZ,
SMT.M.SHAJNA,
SRI.S.KANNAN,
SMT.UMMUL FIDA.**

RESPONDENT(S):

- 1. THE STATE OF KERALA,
REPRESENTED BY CHIEF SECRETARY, SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.**
- 2. THE SECRETARY,
TAXES DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.**
- 3. THE COMMERCIAL TAX OFFICER, 1ST CIRCLE,
THALASSERY - 676 008.**

BY GOVT.PLEADER SRI.R. RANJITH.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 20-11-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT.P-1: A TRUE COPY OF THE LEASE DEED DATED 12.11.1996 EXECUTED BY PUTHIYAVALLAPPIL UMMI HAJJUMMA (THE LANDLORD) IN FAVOUR OF PETITIONER'S FATHER.
- EXT.P-2: A TRUE COPY OF THE LEGAL HEIRSHIP CERTIFICATE OF DECEASED N.N. KHALID HAJEE.
- EXT.P-3: A TRUE COPY OF THE ORDER DATED 25.07.2014 PASSED BY THE COMMERCIAL TAX OFFICER CANCELLED THE REGISTRATION CERTIFICATE ISSUED TO THE DECEASED N.N.KHALID HAJEE.
- EXT.P-4: A TRUE COPY OF THE ORDER DATED 29.04.2015 IN REVISION PETITION NO.188 OF 2014 PASSED BY THE COMMISSIONER.
- EXT.P-5: A TRUE COPY OF THE FRESH APPLICATION FOR REGISTRATION DATED 16.09.2015 BEFORE THE 3RD RESPONDENT REQUESTING FOR REGISTERING THE TRADE BUSINESS CONDUCTED BY THE PETITIONER.
- EXT.P-6: A TRUE COPY OF THE NOTICE NO.1982/15 DATED 22.09.2015 ISSUED BY THE 3RD RESPONDENT TO THE PETITIONER.
- EXT.P-7: A TRUE COPY OF THE OBJECTION SUBMITTED BY THE PETITIONER DATED 03.10.2015 TO THE 3RD RESPONDENT.
- EXT.P-8: A TRUE COPY OF THE LICENSE ISSUED BY THE THALASSERY MUNICIPALITY TO THE PETITIONER VALID TILL 31.03.2016.
- EXT.P-9: A TRUE COPY OF THE BILL DATED 20.08.2015 ISSUED BY THE KSEB ALONG WITH RECEIPT DATED 24.08.2015 ISSUED BY THE KERALA STATE ELECTRICITY BOARD.
- EXT.P-10: A TRUE COPY OF THE RECEIPT ISSUED BY BSN LTD IN RESPECT TO TELEPHONE NO.0490-2320191.
- EXT.P-11: A TRUE COPY OF THE RENT RECEIPTS DATED 03.06.2013, 01.07.2013, 01.08.2013, 01.10.2013, 01.11.2013, 01.12.2013, 01.01.2014, 01.02.2014, 01.03.2014, 01.04.2014, ISSUED BY PUTHIYAVALLAPPIL UMMI HAJJUMMA TO THE PETITIONER AND OTHER LEGAL HEIRS OF LATE N.N.KHALID HAJEE ISSUED IN RESPECT OF THE BUILDING.
- EXT.P-12: A TRUE COPY OF THE ORDER DATED 12.10.2015 ISSUED BY THE 3RD RESPONDENT.

RESPONDENT'S EXHIBITS:-

NIL.

//TRUE COPY//

rs.

P.S. TO JUDGE

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C) No.34157 of 2015

Dated this the 19th day of November 2015

JUDGMENT

It is submitted by counsel for the petitioner that on approaching the respondent bank, the respondent bank has furnished him with the details of sale conducted of the movable properties, the amount for which the movable property was sold and the person, to whom the sale was effected. Taking note of the said submission, I am of the view that the grievance of the petitioner in the writ petition stands redressed and nothing survives to be considered in the writ petition. The writ petition is therefore closed without prejudice to the right of the petitioner to move the Debts Recovery Tribunal, for appropriate reliefs.

Sd/-

A.K.JAYASANKARAN NAMBIAR
JUDGE

sm/