

**HON'BLE THE CHIEF JUSTICE
SRI THOTTATHIL B. RADHAKRISHNAN**

AND

HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN

W.A. M.P. No.1564 OF 2017

IN/AND

WRIT APPEAL No.802 OF 2017

COMMON ORDER (ORAL) :

(Per the Hon'ble the Chief Justice Sri Thottathil B. Radhakrishnan)

We have heard the learned counsel for the petitioner - appellant.

2. Leave is sought to challenge an interlocutory order issued way back on 18.04.2017 in a writ petition filed by certain persons challenging the continued activity of vending Indian Made Foreign Liquor (IMFL) in a particular premises, then under the control of respondent No.14 (respondent No.7).

3. The period of licence of respondent No.14 is stated to be over. The petitioner before us is not a party to that writ petition, though he claims to be owner of the premises. The matter pending before the learned single Judge does not any more survive for consideration in such manner as could visit the petitioner before us with adverse civil consequences.

4. We, therefore, decline jurisdiction to entertain an application for leave to appeal against an interlocutory order. Hence, WAMP No.1564 of 2017 is dismissed without prejudice leaving open all contentions of the petitioner in relation to the property in

question. We also leave open his eligibility to apply for his impleadment in the writ petition which will be decided by the learned single Judge in accordance with law. Consequently, the Writ Appeal is dismissed. No order as to costs.

As a sequel thereto, Miscellaneous Applications, if any, pending in the Writ Appeal stand dismissed.

THOTTATHIL B. RADHAKRISHNAN, CJ

V. RAMASUBRAMANIAN, J

July 30, 2018.
PV

