

THE HON'BLE THE CHIEF JUSTICE SRI THOTTATHIL B. RADHAKRISHNAN
AND
THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT APPEAL No.874 of 2017

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

Having heard the learned counsel for the parties, we notice that the cause sought to be espoused in the Writ Appeal does not survive for further consideration in view of the fact that the period of lease in question has already expired, going by the submissions made on behalf of Sri Trivikrama and Agastheswara Swamy Temple.

2. However, learned counsel for the appellant submits that the order sought to be challenged may survive to bind the issues of law in the years to come.

3. We have expressed our opinion to the learned counsel appearing for the State Government that necessary views have to be taken by the Government, including on the question of renewal of lease. Therefore, we record that whatever is stated in the order sought to be challenged is not considered by us and would not survive to bind any future litigation, since the renewal of leases on given set of fact situation always turn on those fact situations only and not otherwise, in accordance with the rules then in force.

The Writ Appeal is, accordingly, dismissed as unnecessary.

The miscellaneous petitions pending in this Writ Appeal, if any, shall stand closed. There shall be no order as to costs.

THOTTATHIL B. RADHAKRISHNAN, CJ

S.V.BHATT, J

13.08.2018
vs

