

Chaladan Narayanan (Deceased) vs Kerala State Industrial Infrastructure Development Corporation (Kinfra)

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Court : Kerala

Decided On : Dec-06-2023

Judge : Honourable Mr. Justice a. Badharudeen

Appeal No. : WP(C)/4089/2015

Appellant : Chaladan Narayanan (Deceased)

Respondent : Kerala State Industrial Infrastructure Development Corporation (Kinfra)

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE A. BADHARUDEEN
WEDNESDAY, THE 6TH DAY OF DECEMBER 2023 / 15TH
AGRAHAYANA, 1945 WP(C) NO. 4089 OF 2015 PETITIONERS:

1 CHALADAN NARAYANAN (DECEASED) S/O. LATE UNNI, AGED 51
YEARS, AGRICULTURIST, KOLARI P.O., MATTANNUR,
THALASSERY, KANNUR. P2 TO P4 IMPEADED AS SUPPLEMENTAL
PETITIONERS. 2 SREEJA K.V. W/O CHALADAN NARAYANAN, AGED

42 YEARS, 3 ADARSH NARAYANAN S/O CHALADAN NARAYANAN, AGED 22YEARS, EDAVELIKKAL P.O. KOLERI, KANNUR - 670 702 4 RITHYA NARAYANAN D/O CHALADAN NARAYANAN, AGED 19 YEARS, (IMPLEADED AS PER ORDER DATED 29/07/2022 IN I.A NO.1/2022) BY ADVS. K.R.AVINASH (KUNNATH) ABDUL RAOOF PALLIPATH E.MOHAMMED SHAFI M.K.SUMOD

RESPONDENTS: 1 KERALA STATE INDUSTRIAL INFRASTRUCTURE DEVELOPMENT TRIVANDRUM - 695 010 REPRESENTED BY ITS MANAGING DIRECTOR. 2 THE MANAGING DIRECTOR KERALA STATE INDUSTRIAL INFRASTRUCTURE DEVELOPMENT TRIVANDRUM - 695 010. 3 CHALADAN ROHINI W/O. LATE UNNI, AGED 61 YEARS, KEEZHALLUR, ELAMPARA P.O., THALASSERY, KANNUR- 670595. [AGE OF 3RD RESPONDENT IS CORRECTED AS '71 YEARS' AS PER ORDER DATED 20.02.2015 IN IA 2355/15.] 4 THE DISTRICT COLLECTOR KANNUR - 670 001 (IS IMPLEADED AS ADDITIONAL 4TH RESPONDENT AS PER

ORDER DATED 20/8/2015 IN I.A 11548/2015)

BY ADV SRI.P.U.SHAILAJAN THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 06.12.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

Dated this the 6th day of December, 2023 This writ petition has been filed under Article 226 of the Constitution of India seeking the following prayers:

- (i) issue a writ of mandamus or such other writ or order directing the respondents 1 and 2 to transfer 10 cents of land as per the Ext P2 scheme in favour of the petitioner
- (ii) grant such other order that this Hon'ble

court may deem fit and proper in the facts

and circumstances of this case.

2. In view of the disposal of connected R.S.A.

No.1268/2019 acting on the affidavit filed by Chaladan Rohini, the 1st respondent therein, the learned counsel for the additional petitioners submitted that the writ petition has become infructuous. Recording the submission, this writ petition (civil) stands dismissed as infructuous. Sd/- A. BADHARUDEEN SK JUDGE APPENDIX OF WP(C) 4089/2015 PETITIONERS EXHIBITS :

EXHIBIT - P1

TRUE COPY OF THE PARTITION KARAREXHIBIT - P2

PASSED BY THE MUNSIFF COURT OF KOOTHUPARAMBA EXHIBIT - P4 TRUE COPY OF THE COUNTER AFFIDAVIT FILED BY THE PETITIONER IN W.P(C) 14165/2012. EXHIBIT - P5 TRUE COPY OF THE FIXED DEPOSIT RECEIPT IN THE NAME OF THE 3RD RESPONDENT.

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