

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.M.JOSEPH

THURSDAY, THE 31ST JANUARY 2008 / 11TH MAGHA 1929

OP.No. 11196 of 2001(G)

PETITIONER:-

SMT.KAUSALIYA PRABHAKARAN,
PROPREITRIX, PRIYA TOURIST HOME,
CHANGANASSERY.

BY ADV. SRI.ANIL SIVARAMAN

RESPONDENTS:-

1. THE KERALA FINANCIAL CORPORATION,
REPRESENTED BY ITS MANAGING DIRECTOR,
HEAD OFFICE, VELLAYAMBALAM,
THIRUVANANTHAPURAM-695 003.
2. THE DISTRICT MANAGER,
KERALA FINANCE CORPORATION,
DISTRICT OFFICE, KOTTAYAM.
3. GEORGE JOSEPH,
GEMINI FINANCIERS,
PALACE ROAD, CHANGANASSERY.
4. P.J.SUNNY,
PREMIER AUTOS, PALACE ROAD,
CHANGANASSERY.
5. V.C.CHERIAN,
VETTIKULATHUMATTAM AGENCIES,
PALACE ROAD, CHANGANASSERY.
6. JOGI PAUL,
KURIANS OPTICALS,
PALACE ROAD, CHANGANASSERY.
7. K.C.STEPHEN,
WHEEL ELECTRONICS,
PALACE ROAD, CHANGANASSERY.

R1, R2 BY ADV. SRI.M.C.SEN (SR.)-STANDING COUNSEL FOR KFC.
SRI.V.B.UNNIRAJ-STANDING COUNSEL FOR KFC
R3 TO R7 BY ADV. SRI.ROY CHACKO

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 31/01/2008,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

O.P.No.11196/2001:

APPENDIX:

PETITIONER'S EXHIBITS:

EXT.P1--TRUE COPY OF NOTICE NO.KTM 050099010/3725/99 DATED 27-10-99
U/S29 S.F.C.ACT ISSUED BY THE 2ND RESPONDENT.

EXT.P2--TRUE COPY OF TENDER SUBMITTED BEFORE THE IST RESPONDENT
DATED 21-10-1999.

EXT.P3--TRUE COPY OF TENDER SUBMITTED BEFORE THE IST RESPONDENT
DATED 21-10-1999.

EXT.P4--TRUE COPY OF THE JUDGMENT IN OP.NO.28898/99

EXT.P5--TRUE COPY OF THE LETTER OF THE IST RESPONDENT NO.ROC/KTM/20/90/99-
2000 DATED 3-4-2000.

EXT.P6--TRUE COPY OF THE NOTICE NO.R2/0990/1741/2001 DATED 19-3-2001
ISSUED BY THE 2ND RESPONDENT.

Dated, this the 31st day of January, 2008

JUDGMENT

H.L.Dattu, C.J.

What is questioned in this original petition is the notice issued by the Kerala Financial Corporation under Section 29 of the State Financial Corporation Act.

(2). During the pendency of this original petition, certain developments have taken place between the petitioner and the Kerala Financial Corporation.

(3). In view of the subsequent development that has taken place during the pendency of this original petition, in our opinion, as on today, the reliefs sought for by the petitioner does not survive for consideration. Accordingly, the original petition is disposed of, as having become unnecessary. However, liberty is reserved to the petitioner to approach this Court, if need arises in future. All the contentions raised in the original petition are left open.

(4).Consequently, the reliefs sought for in C.M.P.No.17996 of 2001 is rejected.

Ordered accordingly.

**(H.L.DATTU)
CHIEF JUSTICE**

**(K.M.JOSEPH)
JUDGE**

MS