

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

WEDNESDAY, THE 18TH DAY OF FEBRUARY 2015/29TH MAGHA, 1936

OP(C).No.441 of 2015 (O)

**(THE ORDER DATED 13.1.2015 E.P.NO.208/2014 IN RCP NO.6/2014 OF THE RENT
CONTROL COURT (MUNSIFF),ALATHUR).**

...

PETITIONER/CLAIM PETITIONER:

**N.V.VIJAY,AGED 27 YEARS,S/O.NARAYANAN,
THALAKKALAMKODE HOUSE,CHIRA,
MANJAPPRA,ALATHUR,PALAKKAD.**

BY ADV. SRI.V.A.JOHNSON (VARIKKAPPALLIL)

RESPONDENTS/RESPONDENTS/JUDGEMENT DEBTOR/DECREE HOLDER:

- 1. VIJESH KUMAR,AGED 36 YEARS,
S/O.APPUKUTTAN,THEKKETHARA HOUSE,
KOTTEKKAD,KANNAMBRA,ALATHUR,PALAKKAD-678 541.**
- 2. ASOKAN,AGED 54 YEARS,THEKKETHARA HOUSE,
KOTTEKKAD,KANNAMBRA,ALATHUR,PALAKKAD-678 541.**

**THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 18-02-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

pk

OP(C).No.441 of 2015 (O)

APPENDIX

PETITIONER'S EXHIBITS:

**EXT.P-1:TRUE COPY OF THE EXTRACT OF THE RELEVANT PAGE OF THE BASIC
TAX REGISTER OF THE PETITION SCHEDULE PROPERTY ISSUED FROM
THE VILLAGE OFFICE,VADAKKENCHERRY-1.**

**EXT.P-2:TYPED COPY OF THE ORDER DATED 13.1.2015 IN E.P NO.208/2014
IN R.C.P NO.6/2014 ON THE FILE OF THE RENT CONTROL COURT
(MUNSIFF), ALATHUR.**

**EXT.P-3:TRUE COPY OF THE E.A. NO.19/2015 DATED 13.2.2015 IN E.P NO.208/2014
IN R.C.P NO.6/2014 ON THE FILE OF THE RENT CONTROL COURT
(MUNSIFF), ALATHUR.**

RESPONDENT'S EXHIBITS:

NIL

//TRUE COPY//

P.S. TO JUDGE

pk

P. BHAVADASAN, J.

O.P. (C) No. 441 of 2015

Dated this the 18th day of February, 2015.

JUDGMENT

The grievance of the petitioner is that without considering his claim petition, delivery has been ordered. This Court finds that the petition has been filed under Order 21 Rule 58 of the Code of Civil Procedure which is per se not maintainable.

If the petitioner files a proper application, the court below will consider the same in accordance with law.

P. BHAVADASAN,
JUDGE

sb.