

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.N.RAVINDRAN
&
THE HONOURABLE MR. JUSTICE BABU MATHEW P.JOSEPH

MONDAY, THE 2ND DAY OF NOVEMBER 2015/11TH KARTHIKA, 1937

RCCRev..No.38 of 2013 (C)

AGAINST THE JUDGMENT IN RCA 27/2009 of ADDL. RENT CONTROL APPELLATE
AUTHORITY-I, TRIVANDRUM DATED 19-05-2010

AGAINST THE ORDER IN RCP 81/2006 of ADDL. MUNSIFF (RCC),TRIVANDRUM
DATED 06-01-2009

REVISION PETITIONER/APPELLANT/PETITIONER:

NAZEEMA BEEVI,
D/O.KULSAM BEEVI, RESIDING AT KOYIKKAL VEEDU
KRISHNAPURAM, OCHIRA.

BY ADVS. SRI.R.S.KALKURA
SRI.M.S.KALESH
SRI.HARISH GOPINATH
SRI.V.VINAY MENON

RESPONDENT/RESPONDENT/COUNTER PETITIONER:

MADHAVAN PILLAI,
SELVI STORES, ARYASALA, THIRUVANANTHAPURAM.

THIS RENT CONTROL REVISION HAVING BEEN FINALLY HEARD ON
02-11-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**P. N. RAVINDRAN
&
BABU MATHEW P. JOSEPH, JJ.**

R.C.R.No.38 of 2013

Dated this the 2nd day of November, 2015

ORDER

P. N. Ravindran, J.

The petitioner is the landlord in R.C.P.No.81 of 2006 on the file of the Rent Control Court, Thiruvananthapuram, a petition filed by her for an order evicting the respondent/tenant under section 11(3) of the Kerala Buildings (Lease and Rent Control) Act, 1965, hereinafter referred to as the "Act", for short. The rent control court dismissed the petition by order passed on 06.01.2009. The appeal filed by the landlord as R.C.A.No.27 of 2009 was dismissed by the rent control appellate authority by judgment delivered on 19.05.2010. The landlord has aggrieved thereby filed this revision petition.

2. When this revision petition came up for hearing today, Sri.R.S.Kalkura, learned counsel appearing for the petitioner submitted that after the instant revision petition was filed, the tenant has surrendered possession of the petition schedule building and therefore, the landlord has no subsisting grievance. Though the tenant has been served, he has not so far entered appearance. In such circumstances, the revision petition is closed as infructuous.

Registry to transmit the records back to the court below.

Sd/-
P. N. RAVINDRAN
JUDGE

Sd/-
BABU MATHEW P. JOSEPH
JUDGE

kns/-

//TRUE COPY//

P.A. TO JUDGE