

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE MR.JUSTICE ANTONY DOMINIC
&
THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS**

THURSDAY, THE 19TH DAY OF FEBRUARY 2015/30TH MAGHA, 1936

OP (RC).No. 23 of 2015 (O)

**AGAINST THE ORDER IN I.A.NO.4830/2014 IN RCOP 3/2012 of ADDITIONAL
MUNSIFF/ADDITIONAL RENT CONTROL COURT, KOLLAM.**

PETITIONER(S)/RESPONDENT IN ORDER IN I.A.4830/14 IN RC (OP) 3/2012.:

**R. SHANMUGHAM AGED 54 YEARS
DEVIKRIPA APARTMENTS, BHAVANA NAGAR-19, KADAPPAKADA.**

BY ADV. SRI.S.SOMAN

RESPONDENT(S)/PETITIONER IN ORDER IN I.A.4830/14 IN RC(OP) 3/2012.:

**SUSEELAN
VELIYI KIZHAKKATHIL, KADAPPAKKADA, KOLLAM.**

**THIS OP (RENT CONTROL) HAVING COME UP FOR ADMISSION ON 19-02-
2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

OP (RC).No. 23 of 2015 (O)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT-P1: TRUE COPY OF OBJECTION TO I.A. 4830/2014 FILED BY THE PETITIONER.

EXHIBIT-P2: TRUE COPY OF JUDGMENT PASSED BY THIS COURT DATED 19.12.2013 IN OP(RC) 3509/2013.

EXHIBIT-P3: TRUE COPY OF ORDER DATED 19.01.2015.

RESPONDENT(S)' EXHIBITS

NIL.

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///True copy///

P.S. to Judge

ANTONY DOMINIC & ALEXANDER THOMAS, JJ.

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O.P.(R.C) No. 23 of 2015

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Dated this the 19th day of February, 2015

J U D G M E N T

ANTONY DOMINIC, J.:

Ext.P-3 is an order passed by the Rent Control Court, Kollam under Sec.12 of the Rent Control Act. It is this order, which is under challenge in this Original Petition. Sec.18(1)(b) of the Rent Control Act provides an appellate remedy against an order in the nature of Ext.P-3 and therefore this Original Petition filed before this Court is not maintainable and hence cannot be entertained. However, it is pointed out by the learned counsel for the petitioner that the time provided for filing the appeal has expired.

Taking note of the filing of this Original Petition and that it is disposed of only today, we direct that if the petitioner files an appeal against Ext.P-3 order within ten days from today, the Appellate Authority will entertain the same ignoring the delay involved.

Sd/-

ANTONY DOMINIC, JUDGE

Sd/-

ALEXANDER THOMAS, JUDGE

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///True copy///

P.S. to Judge

