

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

TUESDAY, THE 24TH DAY OF MARCH 2015/3RD CHAITHRA, 1937

OP (RC).No. 41 of 2015 (O)

**(AGAINST IA NO.396 OF 2014 IN RCA NO.51/2009 OF DISTRICT COURT (ADC-II)
THALASSERY)**

**AGAINST RCA 51/2009 of RENT CONTROL APPELLATE AUTHORITY (DISTRICT
COURT) THALASSERY**

PETITIONER(S):

**K.P. MOHAMMED ASHRAF AGED 57 YEARS
AGED 57 YEARS, S/O.MUHAMMED, M.K.HOUSE
NEAR A.S.U.P.SCHOOL, PUTHAPPARA, KANNUR-670 009.**

**BY ADVS.SRI.P.SANKARANKUTTY NAIR
SRI.K.SANDESH RAJA**

RESPONDENT(S):

- 1. MR.VASIM AHAMMED
S/O.ABDULLA, `AL-MALABIS', READYMADE SHOPS
NEAR SOVERIGN MERRENA, M.A.ROAD, KANNUR-670 001.**
- 2. MOOSAFAR AHAMMED
S/O.ABDULLA, `AL-MALABIS', READYMADE SHOPS
NEAR SOVERIGN MERRENA, M.A.ROAD, KANNUR-670 001.**
- 3. KINATHODIKA NASIR AHAMMED
S/O.HUSSAIN, `AL-MALABIS', READYMADE SHOPS
NEAR SOVERIGN MERRENA, M.A.ROAD, KANNUR-670 001.**

**THIS OP (RENT CONTROL) HAVING COME UP FOR ADMISSION ON 24-03-
2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

OP (RC).No. 41 of 2015 (O)

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1- TRUE COPY OF THE JUDGMENT DATED 29.9.2008 OF THE RENT CONTROL COURT, KANNUR IN RCP NO.197/2007.

EXT.P2- TRUE COPY OF THE APPEAL MEMORANDUM OF RCA NO.51/2009 BEFORE THE RENT CONTROL APPELLATE AUTHORITY (DISTRICT JUDGE, THALASSERY)

EXT.P3- TRUE COPY OF THE IA NO.396/2014 IN RCA NO.51/2009 DATED 1.3.2014.

RESPONDENT(S)' EXHIBITS NIL

//True Copy//

PA TO JUDGE

Rp

ANTONY DOMINIC & ALEXANDER THOMAS, JJ.
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OP (RC) No. 41 of 2015
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Dated this the 24th day of March, 2015

J U D G M E N T

Antony Dominic, J.

Petitioner filed RCP No.197/07 before the Rent Control Court, Kannur seeking eviction of the respondents from the scheduled premises. By order dated 29/9/2008, the rent control petition was dismissed. Challenging that order, the petitioner has filed RCA No.51/09, which is now pending consideration of the Rent Control Appellate Authority, Thalassery. The grievance in this OP is regarding the inordinate delay in the disposal of the Rent Control Appeal.

2. On the filing of this OP, this Court by order dated 17/3/15 called for a report from the appellate authority and accordingly appellate authority has submitted his report dated 19/3/15, which indicates that the RCA is posted to 6/4/15 for hearing.

Taking note of the above, this OP is disposed of directing that the Rent Control Appellate Authority shall pass final orders in the

OP(RC) No.41/15

: 2 :

RCA, as expeditiously as possible, at any rate, within three months from the date of receipt of a copy of this judgment.

Sd/-
**ANTONY DOMINIC
JUDGE**

Sd/-
**ALEXANDER THOMAS
JUDGE**

Rp

//True Copy//

PA to Judge