

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.SURENDRA MOHAN

&

THE HONOURABLE MRS. JUSTICE MARY JOSEPH

FRIDAY, THE 19TH DAY OF JUNE 2015/29TH JYAISHTA, 1937

OP (RC).No. 66 of 2015 (O)

R.C.A NO.33/2013 OF 5TH ADDITIONAL DISTRICT COURT, ERNAKULAM

AGAINST THE ORDER IN RCP 79/2011 of RENT CONTROL COURT, ERNAKULAM

PETITIONER(S) /RESPONDENT:

MOHAN MATHEW,
AGED 57 YEARS, S/O.LATE ELIAMMA MATHEW
NAINAKUTTY LANE, SRM ROAD, ERNAKULAM
COCHIN-682018
REPRESENTED BY HIS POWER OF ATTORNEY HOLDER BABY VARGHESE
AGED 60, MULARIKKAL PEARL COTTAGE, NEDUMBADOM LANE
ANGAMALY SOUTH, ANGAMALY PO, ERNAKULAM
PIN-683 572.

BY ADVS.SRI.K.C.ELDHO
SRI.JIJO THOMAS
SRI.ANEESH JAMES
SRI.MALLENATHAN.M.
SRI.ANIL R.NATH

RESPONDENT (S) /APPELLANT:

SAJAN DEVASSY
AGED 38 YEARS, S/O.DEVASSY, GROUND FLOOR
BUILDING NO.43/1993, NAINAKUTTY LANE, SRM ROAD
ERNAKULAM, COCHIN-682018.

THIS OP (RENT CONTROL) HAVING COME UP FOR ADMISSION ON
19-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

OP (RC).No. 66 of 2015 (O)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXT.P1 : A TRUE COPY OF THE RCA NO.33 OF 2013 IN THE FILE OF THE 5TH
ADDITIONAL DISTRICT COURT, ERNAKULAM.

EXT.P2 : A TRUE COPY OF THE ORDER OF THE RENT CONTROL COURT FIXING THE
FAIR RENT IN RCP NO.79 OF 2011.

EXT.P3 : A TRUE COPY OF THE APPEAL IN RCA NO.17 OF 2013.

EXT.P4 : A TRUE COPY OF THE JUDGMENT OF THE HON'BLE COURT DATED 3-7-
2014 IN OP(RC) NO.44 OF 2014.

RESPONDENT(S) ' EXHIBITS

NIL

//TRUE COPY//

P.A TO JUDGE

vdv

K.SURENDRA MOHAN & MARY JOSEPH, JJ.

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O.P(R.C) No.66 of 2015

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Dated this the 19th day of June, 2015

JUDGMENT

Surendra Mohan,J.

This original petition is filed by the petitioner seeking the following reliefs:

- i) Direct the 5th Additional District Court, Ernakulam to finally dispose of Exhibit P1 and P3 appeals within a time limit stipulated by this Hon'ble Court.
- ii) Grant such other and further reliefs as this Hon'ble Court deems fit while considering the peculiar circumstances of the case.

2. The petitioner is the respondent in R.C.A Nos.17 of 2013 and 33 of 2013. The petitioner is the landlord. According to the petitioner, as per Ext.P4 judgment, this Court has already directed the appeals to be disposed of expeditiously. Though the said direction was issued on 03.07.2014, the petitioner complains that the appeals have not been disposed of till date.

3. In view of the contentions raised, we called for a report from the concerned Appellate Authority, on the administrative side. The Appellate Authority has reported that the appeals could be finally disposed of within a period of one month.

In view of the above, this original petition is disposed of directing the Rent Control Appellate Authority to finally dispose of R.C.A Nos.17 of 2013 and 33 of 2013, as expeditiously as possible, at any rate, within a period of one month of the date of receipt of a copy of this judgment.

Sd/-
K.SURENDRA MOHAN, JUDGE

Sd/-
MARY JOSEPH, JUDGE

vdv