

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

MONDAY, THE 9TH DAY OF FEBRUARY 2015/20TH MAGHA, 1936

RCCRev.No.17 of 2015 (A)

AGAINST THE JUDGMENT IN RCA 27/2013 of II ADDL. RENT CONTROL APPELLATE
AUTHORITY (II ADDL. DISTRICT COURT), TRIVANDRUM DATED 03-09-2014

AGAINST THE ORDER IN RCP 66/2012 of RENT CONTROL COURT (ADDL. MUNSIF
COURT), TRIVANDRUM DATED 26-06-2013

REVISION PETITIONER/APPELLANT/RESPONDENT:

K.S.HARISH KUMAR
S/O.SARASAPPAN, KRISHNEDU, T.C.NO.4/1073
KOWDIAR, KURAVANKONAM ROAD, THIRUVANANTHAPURAM.

BY ADV. SRI.G.S.REGHUNATH

RESPONDENT/RESPONDENT/PETITIONER:

S.RAMAKRISHNAN NAIR
S/O.R.SANKARA PILLAI, 'SREE' NO.7-B, P.C.LANE
KOWDIAR, THIRUVANANTHAPURAM-695003.

BY SRI.N.NANDAKUMARA MENON, SENIOR ADVOCATE.
BY ADV. SRI.P.K.MANOJKUMAR

THIS RENT CONTROL REVISION HAVING COME UP FOR ADMISSION ON
09-02-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ANTONY DOMINIC & ALEXANDER THOMAS, JJ.

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Dated this the 9th day of February, 2015.

ORDER

Antony Dominic, J.

The tenant, who was the respondent in R.C.P.No.66/2012 filed by the landlord, who is the respondent herein, is the revision petitioner. The landlord filed R.C.P.No.66/2012 of Rent Control Court, Thiruvananthapuram, seeking eviction of the tenant under Sec. 11 (3) of the Rent Control Act. The Rent Control Court vide its order dated 26.6.2013 ordered eviction. This order was confirmed by the Rent Control Appellate Authority, Thiruvananthapuram by dismissing R.C.A.No.27/2013 filed by the tenant, vide its judgment dated 3.9.2014. It is aggrieved by the above, the tenant has filed this revision.

2. We heard the learned counsel for the petitioner-tenant and learned counsel for the respondent-landlord.

3. When this revision came up for orders before this Court on 3.2.2015, this Court recorded the statement of the counsel for the petitioner that the petitioner wanted only reasonable time to surrender vacant possession of the tenanted premises. It was taking note of the said submission that notice

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was also issued to the respondent-landlord. Accordingly, learned counsel for the respondent entered appearance and we heard the learned counsel for the respondent on the request of the learned counsel for the petitioner.

4. Taking note of the submissions made by both sides, we are confirming the orders passed by the lower authorities, but, at the same time, we grant six months from today to surrender vacant possession of the premises to the landlord. This shall however be subject to the condition that within three weeks from today, the tenant shall file an affidavit before the Rent Control Court unconditionally undertaking to surrender vacant possession of the premises to the landlord on or before the expiry of six months time allowed by us and also on clearing arrears of rent, if any, and continuing to pay the rent for the whole period.

Revision is disposed of as above.

**Sd/-
ANTONY DOMINIC,
Judge.**

**Sd/-
ALEXANDER THOMAS,
Judge.**

Bkn/-

// True copy //

P.A to Judge.