

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

FRIDAY, THE 30TH DAY OF JANUARY 2015/10TH MAGHA, 1936

RCRev.No.308 of 2014 (C)

AGAINST THE JUDGMENT IN RCA 6/2011 of RENT CONTROL APPELLATE
AUTHORITY (ADDL. DISTRICT COURT-IV), PALAKKAD DATED 11-08-2014

AGAINST THE ORDER/JUDGMENT IN RCP 47/2009 of RENT CONTROL COURT
(ADDL.MUNSIFF COURT), PALAKKAD DATED 18-11-2010

PETITIONER/ APPELLANT/ **(PETITIONER)***RESPONDENT:

VARGHESE, AGED 62 YEARS
S/O UDUPPU, MANGALATH VEEDU, VADUKATHARA
PUDUSSERY AMSOM, PALAKKAD TALUK, PALAKKAD DISTRICT

BY ADVS.SRI.BINOY VASUDEVAN
SRI.R.MANIKANTAN
SMT.P.G.BABITHA

*THE STATUS OF THE PETITIONER IN THE CAUSE TITLE OF THE
MEMORANDUM OF R.C.R. IS CORRECTED AS "RESPONDENT" AS PER ORDER
DATED 13.1.2015 IN I.A.NO.67/2015.

RESPONDENT/ RESPONDENT/PETITIONER:

GIRIJA, AGED 48 YEARS,
W/O RAMACHANDRAN, PEZHATH HOUSE, PUDUSSERY AMSOM DESOM
PALAKKAD TALUK, PALAKKAD DISTRICT 678101

BY ADV. SRI.A.SHAFAEEK (KAYAMKULAM)

THIS RENT CONTROL REVISION HAVING COME UP FOR ADMISSION ON
30-01-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ANTONY DOMINIC & ALEXANDER THOMAS, JJ.

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Dated this the 30th day of January, 2015.

ORDER

Antony Dominic, J.

This revision is filed by the respondent-tenant against R.C.P.No.47/2009 on the file of the Rent Control Court, Palakkad, filed by the landlord, who is the respondent herein. The Rent Control Court vide its order dated 18.11.2010 allowed the petition and this order was confirmed by the Appellate Authority in its judgment in R.C.A.No.6/2011. It is challenging these orders, the revision is filed. On 13.1.2015, when this matter came up for admission, we heard the counsel for the petitioner at length and we were not inclined to entertain the revision. Thereupon the counsel for the petitioner requested that the petitioner be given reasonable time to shift from the premises in question. Considering the request so made, we issued notice on admission to the respondent-landlord, who entered appearance and we also heard the request made by the counsel for the petitioner.

2. Taking note of the submissions made by both sides and having regard to the fact that the premises in question is

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used for STD booth, we allow the petitioner six months time from today to surrender vacant possession of the scheduled premises to the respondent-landlord. This shall be however subject to the condition that the petitioner shall within two weeks from today 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 allowed by us. The petitioner shall also, within the said two weeks time, clear the entire arrears of rent and shall continue to pay the rent without default.

The revision is disposed of as above.

**ANTONY DOMINIC,
Judge.**

**ALEXANDER THOMAS,
Judge.**

bkn/-