

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

MONDAY, THE 22ND DAY OF JUNE 2015/1ST ASHADHA, 1937

RP.No. 520 of 2015 () IN I.A.NO.1233 OF 2015 IN RCRcv..1/2014
RCA.130/11, RENT CONTROL APPELLATE AUTHORITY, ERNAKULAM
RCP.29/10, RENT CONTROL COURT, ERNAKULAM

PETITIONER(S)/PETITIONER/1ST RESPONDENT:

P.M.JOSEPH, S/O MATHEW,
POOTHULLIL HOUSE, THIRUNARAYANA AVENUE,
OFF AVADI ROAD, KILPAUK GARDEN,
CHENNAI - 600 010.

BY ADVS.SRI.K.K.CHANDRAN PILLAI (SR.)
SRI.ARUN ANTONY

RESPONDENT(S)/RESPONDENTS/PETITIONERS:

1. P.V.MOHANDAS, S/O. LATE VELAYUDHAN,
VAISHTALAYAM OLD RAILWAY STATION ROAD,
ERNAKULAM, KOCHI -682 018.
2. P.V.HARIDAS, S/O LATE VELAYUDHAN,
VAISHTALAYAM OLD RAILWAY STATION ROAD,
ERNAKULAM, KOCHI -682 018.

R1&2 BY ADV. SRI.M.S.UNNIKRISHNAN

THIS REVIEW PETITION HAVING BEEN FINALLY HEARD ON 22-06-2015, THE
COURT ON THE SAME DAY PASSED THE FOLLOWING:

APPENDIX IN R.P.NO.520/15

PETITIONER'S EXHIBITS:

ANNEXURE 1: COPY OF THE AFFIDAVIT RECEIVED BY THE LANDLORD'S COUNSEL ON 10.6.2015.

RESPONDENT'S EXHIBITS:

ANNEXURE 1: COPY OF AFFIDAVIT DATED 18TH JUNE, 2015 UNCONDITIONALLY UNDERTAKING TO SURRENDER THE PETITION SCHEDULE BUILDING.

/TRUE COPY/

PS TO JUDGE

ANTONY DOMINIC & ALEXANDER THOMAS, JJ.

R.P.No.520 of 2015
in R.C.R.No.1 of 2014

Dated this the 22nd day of June, 2015

O R D E R

Antony Dominic, J.

This review petition was filed seeking review of the order dated 11.6.2015 in I.A.1233/15. The ground urged was that since the affidavit filed in compliance with the order dated 10.3.2015, disposing of the RCR, is not an unconditional one, the petitioner should not have granted time as per the order under review.

Though there is substance in what is contended, having gone through the annexure produced along with I.A.1492/15 filed by the petitioners, we find that on 18.6.2015, yet another affidavit has been filed before the execution court, where, an unconditional undertaking has been given to surrender vacant possession of the building on or before 9.9.2015.

In view of the above undertaking by way of the fresh affidavit, we do not find any reason to review

the order dated 11.6.2015 in I.A.1233/15 in
R.C.R.1/04. Review petition is closed accordingly.

Sd/-
ANTONY DOMINIC, Judge.

Sd/-
ALEXANDER THOMAS, Judge.

k kb.