

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

TUESDAY, THE 17TH DAY OF MARCH 2015/26TH PHALGUNA, 1936

WP(C).No. 7840 of 2015 (D)

PETITIONER(S):

**RANJITH K.B., AGED 36 YEARS
S/O.KUNNATH BALAKRISHNAN, RAJ NIVAS, THUVAKKOD P.O.
VIA CHEMANCHERRY, KOZHIKODE DISTRICT.**

**BY ADVS.SRI.VINOD SINGH CHERIYAN
SRI.R.SUDHISH
SMT.M.MANJU
SMT.B.PREETHA**

RESPONDENT(S):

- 1. SHEENATH A., AGED 46 YEARS,
W/O.SASIKUMAR RAJ, NOW RESIDING AT K.S.RESIDENCY
AZHAKENDRA LANE, KALOOR, KOCHI 682 017.**
- 2. ATHIRA S.RAJ, AGED 18 YEARS,
D/O.SASIKUMAR RAJ, NOW RESIDING AT K.S.RESIDENCY
AZHAKENDRA LANE, KALOOR, KOCHI - 682 017.**
- 3. RAHUL S.RAJ,, AGED 25 YEARS
S/O.SASIKUMAR RAJ, NOW RESIDING AT K.S.RESIDENCY
AZHAKENDRA LANE, KALOOR, KOCHI 682 017.**
- 4. THE ACCOMMODATION CONTROLLER (TAHSILDAR)
KOZHIKODE - 673 004.**

**R1-R3 BY ADVS. SRI.K.P.VISWAMBHARAN
SMT.NIMA JACOB**

R4 BY SENIOR GOVERNMENT PLEADER SRI.K.C.VINCENT

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 17-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

APPENDIX

PETITIONER(S)' EXHIBITS

- P1: COPY OF THE PETITION FILED BY THE PETITIONER BEFORE THE ACCOMODATION CONTROLLER, THE 4TH RESPONDENT DATED 28/2/2014.**
- P2: COPY OF THE STAEMENT FILED BY THE PETITIONER BEFORE THE 4TH RESPONDENT FOR PRODUCTION OF DOCUMENTS DATED 3/3/2015**
- P3: COPY OF AFFIDAVIT WITH PETITION FILED BEFORE THE 4TH RESPONDENT DATED 6/3/2015.**
- P4: PHOTOGRAPHS OF THE PRESENT NATURE AND CONDITION OF THE BUILDING.**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

P.R. RAMACHANDRA MENON, J.

W.P.(C) No.7840 of 2015

Dated this the 17th day of March, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers:

"i. Issue a writ of mandamus or any other appropriate writ, order or direction directing the 4th respondent to consider Exhibit P1 application within the time frame fixed by this Honourable Court.

ii. Issue a writ of mandamus or any other appropriate writ, order or direction directing the 4th respondent to advance the hearing of the case to a nearer date.

iii. Issue such other writ, order or direction which this Honourable Court may deem fit and proper on the facts and circumstances of this Case and in the interest of justice."

2. Grievance of the petitioner is with regard to the delay in considering Ext.P1 application under Section 17(2) of the Kerala Building (Lease and Rent Control) Act filed by the petitioner before the 4th respondent.

3. Heard the learned counsel for the petitioner as well as

the learned counsel appearing for respondents 1 to 4 and also the learned counsel appearing for the 4th respondent.

4. After hearing both the sides, the writ petition is disposed of, directing the 4th respondent to consider and pass appropriate orders on Ext.P1, after affording an opportunity of hearing to the petitioner, at the earliest, at any rate, within 'two weeks' from the date of receipt of a copy of this judgment.

Petitioner shall produce a copy of this judgment, along with a copy of the writ petition before the 4th respondent, for further steps.

**P.R. RAMACHANDRA MENON,
JUDGE**

sp