IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MR.JUSTICE P. KRISHNA KUMAR

THURSDAY, THE 10TH DAY OF APRIL 2025 / 20TH CHAITHRA, 1947

OP (RC) NO. 70 OF 2025

AGAINST THE ORDER DATED 05.07.2024 IN RCP NO.133 OF 2020 OF III ADDITIONAL MUNSIFF COURT, ERNAKULAM (RENT CONTROL)

PETITIONERSPETITIONERS/PETITIONERS 1 TO 3, 5 TO 7, 9 TO 15 AND LR OF PETITIONER NO.8:

1 PARVATHY ANTHARJANAM, AGED 78 YEARS, WIFE OF LATE E.A SANKARANARAYANAN BHATTATHIRIPAD, HOUSEWIFE, RESIDING AT SREESYLAM-EDATHAMARAMANA, 37/1953, KALOOR-KADAVANTHRA ROAD, KALOOR P.O., ERNAKULAM DISTRICT, PIN – 682 017

2 E.S. MADHU, AGED 55 YEARS, SON OF LATE E.A SANKARANARAYANAN BHATTATHIRIPAD, BUSINESS, RESIDING AT SREESYLAM-EDATHAMARAMANA, 37/1953, KALOOR-KADAVANTHRA ROAD, KALOOR P.O., ERNAKULAM DISTRICT, PIN – 682 017

3 E.S. MAHESH, AGED 53 YEARS, SON OF LATE E.A SANKARANARAYANAN BHATTATHIRIPAD, BUSINESS, RESIDING AT SREESYLAM-EDATHAMARAMANA, 37/1953, KALOOR-KADAVANTHRA ROAD, KALOOR P.O., ERNAKULAM DISTRICT, PIN – 682 017

4 NALINI ANTHARJANAM, AGED 76 YEARS, WIFE OF E.A SREEDHARAN BHATTATHIRIPAD, HOUSEWIFE, RESIDING

AT RAJASREE-EDATHAMARAMANA, 63/477, CENTRAL SCHOOL ROAD, KADAVANTHRA P.O, ERNAKULAM DISTRICT, PIN – 682 020

5 RAJESH E.S., AGED 54 YEARS, SON OF E.A SREEDHARAN BHATTATHIRIPAD, BUSINESS, RESIDING AT RAJASREE-EDATHAMARAMANA, 63/477, CENTRAL SCHOOL ROAD, KADAVANTHRA P.O, ERNAKULAM DISTRICT, PIN – 682 020

6 SREEJA E.S., AGED 52 YEARS, DAUGHTER OF E.A SREEDHARAN BHATTATHIRIPAD, BUSINESS, RESIDING AT RAJASREE-EDATHAMARAMANA, 63/477, CENTRAL SCHOOL ROAD, KADAVANTHRA P.O, ERNAKULAM DISTRICT, PIN – 682 020

7 SREEDEVI ANTHARJANAM, AGED 73 YEARS, WIFE OF E.A. RAMAN BHATTATHIRIPAD, HOUSEWIFE, RESIDING AT EDATHAMARAMANA, 37/314 A, KALOOR-KADAVANTHRA ROAD, KADAVANTHRA P.O., ERNAKULAM DISTRICT, PIN – 682 020

8 E.R. MINI, AGED 50 YEARS, DAUGHTER OF E.A. RAMAN BHATTATHIRIPAD, BANK EMPLOYEE, RESIDING AT EDATHAMARAMANA, 37/314 A, KALOOR-KADAVANTHRA ROAD, KADAVANTHRA P.O., ERNAKULAM DISTRICT, PIN – 682 020

9 E.A. VIRUPAKSHAN BHATTATHIRIPAD, AGED 74 YEARS, SON OF LATE VALIYA ARYAN BHATTATHIRIPAD, BUSINESS, RESIDING AT MALIKA-EDATHAMARAMANA, 37/314A, KALOOR-KADAVANTHRA ROAD, KADAVANTHRA P.O., ERNAKULAM DISTRICT, PIN – 682 020

0 SANTHA ANTARJANAM, AGED 66 YEARS, RETIRED PROFESSOR, RESIDING AT MALIKA-EDATHAMARAMANA, 37/314A, KALOOR-KADAVANTHRA ROAD, KADAVANTHRA P.O., ERNAKULAM DISTRICT, PIN – 682 020

11 GAUTHAM ARYAN, AGED 44 YEARS, BUSINESS, RESIDING AT MALIKA-EDATHAMARAMANA, 37/314A, KALOOR-KADAVANTHRA ROAD, KADAVANTHRA P.O., ERNAKULAM DISTRICT, PIN – 682 020

12 E.V. NEELIMA, AGED 42 YEARS, HOUSEWIFE, RESIDING AT MALIKA-EDATHAMARAMANA, 37/314A, KALOOR-KADAVANTHRA ROAD, KADAVANTHRA P.O., ERNAKULAM DISTRICT, PIN – 682 020

13 NIRMALA K., AGED 74 YEARS, WIFE OF LATE CHERIYA ARYAN BHATTATHIRIPAD, RETIRED PROFESSOR, RESIDING AT EDATHAMARAMANA, 37/314, KALOOR-KADAVANTHRA ROAD, KADAVANTHRA P.O., ERNAKULAM DISTRICT, PIN – 682 020

14 E.R. SUMI, AGED 43 YEARS, DAUGHTER OF E.A. RAMAN BHATTATHIRIPAD, UNEMPLOYED, RESIDING AT EDATHAMARAMANA, 37/314 A, KALOOR-KADAVANTHRA ROAD, KADAVANTHRA P.O., ERNAKULAM DISTRICT,, PIN – 682 020

BY ADV BASIL MATHEW

<u>RESPONDENTS/RESPONDENTS/RESPONDENT AND PETITIONER NO.16:</u>

1 GANGADHARAN, AGED 65 YEARS, BEST BAKERY, C.C. 55/1060, GROUND FLOOR, EDATHAMARAMANA SHOPPING COMPLEX (E.M.S. SHOPPING COMPLEX), KADAVATHARA, KOCHI, PIN – 682 020

2 SARITHA ARYAN, AGED 49 YEARS, DAUGHTER OF LATE CHERIYA ARYAN BHATTATHIRIPAD, MEDICAL PRACTITIONER, RESIDING AT EDATHAMARAMANA, 37/314, KALOOR-KADAVANTHRA ROAD, KADAVANTHRA P.O., ERNAKULAM DISTRICT, PIN – 682 020

BY ADVS.
REJI GEORGE
AJAY KRISHNAN S.
PARVATHY GIRISH
SAISANKAR.S
JOSEPH RAJU MATHEWS

THIS OP (RENT CONTROL) HAVING COME UP FOR ADMISSION

ON 10.04.2025, ALONG WITH OP (RC).69/2025, 78/2025 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MR.JUSTICE P. KRISHNA KUMAR

THURSDAY, THE 10TH DAY OF APRIL 2025 / 20TH CHAITHRA, 1947

OP (RC) NO. 69 OF 2025

AGAINST THE ORDER DATED 05.07.2024 IN RCP NO.102 OF 2020 OF III ADDITIONAL MUNSIFF COURT, ERNAKULAM (RENT CONTROL)

PETITIONERS/:

1 **PARVATHY ANTHARJANAM, AGED 78 YEARS, WIFE OF LATE E.A SANKARANARAYANAN BHATTATHIRIPAD, HOUSEWIFE, RESIDING AT SREESYLAM-EDATHAMARAMANA, 37/1953, KALOOR-KADAVANTHRA ROAD, KALOOR P.O., ERNAKULAM DISTRICT, PIN – 682 017**

2 **E.S. MADHU, AGED 55 YEARS, SON OF LATE E.A SANKARANARAYANAN BHATTATHIRIPAD, BUSINESS, RESIDING AT SREESYLAM-EDATHAMARAMANA, 37/1953, KALOOR-KADAVANTHRA ROAD, KALOOR P.O., ERNAKULAM DISTRICT, PIN – 682 017**

3 **E.S MAHESH, AGED 55 YEARS, SON OF LATE E.A SANKARANARAYANAN BHATTATHIRIPAD, BUSINESS, RESIDING AT SREESYLAM-EDATHAMARAMANA, 37/1953, KALOOR-KADAVANTHRA ROAD, KALOOR P.O., ERNAKULAM DISTRICT, PIN – 682 017**

4 **NALINI ANTHARJANAM, AGED 76 YEARS, WIFE OF E.A SREEDHARAN BHATTATHIRIPAD, HOUSEWIFE, RESIDING AT RAJASREE-EDATHAMARAMANA, 63/477, CENTRAL**

SCHOOL ROAD, KADAVANTHRA P.O, ERNAKULAM DISTRICT, PIN – 682 020

5 RAJESH E.S., AGED 54 YEARS, SON OF E.A SREEDHARAN BHATTATHIRIPAD, BUSINESS, RESIDING AT RAJASREE-EDATHAMARAMANA, 63/477, CENTRAL SCHOOL ROAD, KADAVANTHRA P.O, ERNAKULAM DISTRICT, PIN – 682 020

6 SREEJA E.S, AGED 52 YEARS, DAUGHTER OF E.A SREEDHARAN BHATTATHIRIPAD, BUSINESS, RESIDING AT RAJASREE-EDATHAMARAMANA, 63/477, CENTRAL SCHOOL ROAD, KADAVANTHRA P.O, ERNAKULAM DISTRICT, PIN – 682 020

7 SREEDEVI ANTHARJANAM, AGED 73 YEARS, WIFE OF E.A. RAMAN BHATTATHIRIPAD, HOUSEWIFE, RESIDING AT EDATHAMARAMANA, 37/314 A, KALOOR-KADAVANTHRA ROAD, KADAVANTHRA P.O., ERNAKULAM DISTRICT, PIN – 682 020

8 E.R. MINI, AGED 50 YEARS, DAUGHTER OF E.A. RAMAN BHATTATHIRIPAD, BANK EMPLOYEE, RESIDING AT EDATHAMARAMANA, 37/314 A, KALOOR-KADAVANTHRA ROAD, KADAVANTHRA P.O., ERNAKULAM DISTRICT, PIN – 682,020

9 E.A. VIRUPAKSHAN BHATTATHIRIPA, AGED 74 YEARS, SON OF LATE VALIYA ARYAN BHATTATHIRIPAD, BUSINESS, RESIDING AT MALIKA-EDATHAMARAMANA, 37/314A, KALOOR-KADAVANTHRA ROAD, KADAVANTHRA P.O., ERNAKULAM DISTRICT, PIN – 682 020

0 SANTHA ANTARJANAM, AGED 66 YEARS, RETIRED PROFESSOR, RESIDING AT MALIKA-EDATHAMARAMANA, 37/314A, KALOOR-KADAVANTHRA ROAD, KADAVANTHRA P.O., ERNAKULAM DISTRICT, PIN – 682 020

11 GAUTHAM ARYAN, AGED 44 YEARS, BUSINESS, RESIDING AT MALIKA-EDATHAMARAMANA, 37/314A, KALOOR-KADAVANTHRA ROAD, KADAVANTHRA P.O., ERNAKULAM DISTRICT, PIN – 682 020

12 E.V. NEELIMA, AGED 42 YEARS, HOUSEWIFE, RESIDING

AT MALIKA-EDATHAMARAMANA, 37/314A, KALOOR-KADAVANTHRA ROAD, KADAVANTHRA P.O., ERNAKULAM DISTRICT, PIN – 682 020

13 NIRMALA K., AGED 74 YEARS, WIFE OF LATE CHERIYA ARYAN BHATTATHIRIPAD, RETIRED PROFESSOR, RESIDING AT EDATHAMARAMANA, 37/314, KALOOR-KADAVANTHRA ROAD, KADAVANTHRA P.O., ERNAKULAM DISTRICT, PIN – 682 020

14 E.R. SUMI, AGED 43 YEARS, DAUGHTER OF E.A. RAMAN BHATTATHIRIPAD, UNEMPLOYED, RESIDING AT EDATHAMARAMANA, 37/314 A, KALOOR-KADAVANTHRA ROAD, KADAVANTHRA P.O., ERNAKULAM DISTRICT, PIN – 682 020

BY ADVS.
BASIL MATHEW
NINAN JOHN
SANJANA SARA VARGHESE ANNIE
ARYA A.R.
MARGRET MARIA SIJU

RESPONDENTS/RESPONDENT:

1 P BALAN, AGED 79 YEARS, SON OF GOVINDAN, USHA BAKERY, C.C. 55/1025, GROUND FLOOR, EDATHAMARAMANA SHOPPING COMPLEX (E.M.S. SHOPPING COMPLEX) KADAVATHARA, KOCHI, PIN – 682 020

2 SARITHA ARYAN, AGED 49 YEARS, DAUGHTER OF LATE CHERIYA ARYAN BHATTATHIRIPAD, MEDICAL PRACTITIONER, RESIDING AT EDATHAMARAMANA, 37/314, KALOOR-KADAVANTHRA ROAD, KADAVANTHRA P.O., ERNAKULAM DISTRICT, PIN – 682 020

BY ADVS.
REJI GEORGE
AJAY KRISHNAN S.

PARVATHY GIRISH
SAISANKAR.S
JOSEPH RAJU MATHEWS

THIS OP (RENT CONTROL) HAVING COME UP FOR ADMISSION ON 10.04.2025, ALONG WITH OP (RC).70/2025 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MR.JUSTICE P. KRISHNA KUMAR

THURSDAY, THE 10TH DAY OF APRIL 2025 / 20TH CHAITHRA, 1947

OP (RC) NO. 78 OF 2025

AGAINST THE ORDER DATED 05.07.2024 IN RCP NO.129 OF 2020 OF III ADDITIONAL MUNSIFF COURT, ERNAKULAM (RENT CONTROL)

PETITIONERS/PETITIONERS/PETITIONERS/PETITIONERS 1 TO 3, 5 TO 7, 9 TO 15 AND LR OF PETITIONERNO.8:

1 **PARVATHY ANTHARJANAM, AGED 78 YEARS, WIFE OF LATE E.A SANKARANARAYANAN BHATTATHIRIPAD, HOUSEWIFE, RESIDING AT SREESYLAM-EDATHAMARAMANA, 37/1953, KALOOR-KADAVANTHRA ROAD, KALOOR P.O., ERNAKULAM DISTRICT, PIN – 682 017**

2 **E.S. MADHU, AGED 55 YEARS, SON OF LATE E.A SANKARANARAYANAN BHATTATHIRIPAD, BUSINESS, RESIDING AT SREESYLAM-EDATHAMARAMANA, 37/1953, KALOOR-KADAVANTHRA ROAD, KALOOR P.O., ERNAKULAM DISTRICT, PIN – 682 017**

3 **E.S. MAHESH, AGED 53 YEARS, SON OF LATE E.A SANKARANARAYANAN BHATTATHIRIPAD, BUSINESS, RESIDING AT SREESYLAM-EDATHAMARAMANA, 37/1953, KALOOR-KADAVANTHRA ROAD, KALOOR P.O., ERNAKULAM DISTRICT, PIN – 682 020**

4 **NALINI ANTHARJANAM, AGED 76 YEARS, WIFE OF E.A**

SREEDHARAN BHATTATHIRIPAD, HOUSEWIFE, RESIDING AT RAJASREE-EDATHAMARAMANA, 63/477, CENTRAL SCHOOL ROAD, KADAVANTHRA P.O, ERNAKULAM DISTRICT, PIN – 682 020

5 **RAJESH E.S., AGED 54 YEARS, SON OF E.A SREEDHARAN BHATTATHIRIPAD, BUSINESS, RESIDING AT RAJASREE-EDATHAMARAMANA, 63/477, CENTRAL SCHOOL ROAD, KADAVANTHRA P.O, ERNAKULAM DISTRICT, PIN – 682 020**

6 **SREEJA E.S., AGED 52 YEARS, DAUGHTER OF E.A SREEDHARAN BHATTATHIRIPAD, BUSINESS, RESIDING AT RAJASREE-EDATHAMARAMANA, 63/477, CENTRAL SCHOOL ROAD, KADAVANTHRA P.O, ERNAKULAM DISTRICT, PIN – 682 020**

7 **SREEDEVI ANTHARJANAM, AGED 73 YEARS, WIFE OF E.A. RAMAN BHATTATHIRIPAD, HOUSEWIFE, RESIDING AT EDATHAMARAMANA, 37/314 A, KALOOR-KADAVANTHRA ROAD, KADAVANTHRA P.O., ERNAKULAM DISTRICT, PIN – 682 020**

8 **E.R. MINI, AGED 50 YEARS, DAUGHTER OF E.A. RAMAN BHATTATHIRIPAD, BANK EMPLOYEE, RESIDING AT EDATHAMARAMANA, 37/314 A, KALOOR-KADAVANTHRA ROAD, KADAVANTHRA P.O., ERNAKULAM DISTRICT, PIN – 682 020**

9 **E.A. VIRUPAKSHAN BHATTATHIRIPAD, AGED 74 YEARS SON OF LATE VALIYA ARYAN BHATTATHIRIPAD, BUSINESS, RESIDING AT MALIKA-EDATHAMARAMANA, 37/314A, KALOOR-KADAVANTHRA ROAD, KADAVANTHRA P.O., ERNAKULAM DISTRICT, PIN – 682 020**

0 **SANTHA ANTARJANAM, AGED 66 YEARS, RETIRED PROFESSOR, RESIDING AT MALIKA-EDATHAMARAMANA, 37/314A, KALOOR-KADAVANTHRA ROAD, KADAVANTHRA P.O., ERNAKULAM DISTRICT, PIN – 682 020**

11 **GAUTHAM ARYAN, AGED 44 YEARS, BUSINESS, RESIDING AT MALIKA-EDATHAMARAMANA, 37/314A, KALOOR-KADAVANTHRA ROAD, KADAVANTHRA P.O., ERNAKULAM DISTRICT, PIN – 682 020**

12 E.V. NEELIMA, AGED 42 YEARS, HOUSEWIFE, RESIDING AT MALIKA-EDATHAMARAMANA, 37/314A, KALOOR-KADAVANTHRA ROAD, KADAVANTHRA P.O., ERNAKULAM DISTRICT, PIN – 682 020

13 NIRMALA K., AGED 74 YEARS, WIFE OF LATE CHERIYA ARYAN BHATTATHIRIPAD, RETIRED PROFESSOR, RESIDING AT EDATHAMARAMANA, 37/314, KALOOR-KADAVANTHRA ROAD, KADAVANTHRA P.O., ERNAKULAM DISTRICT, PIN – 682 020

14 E.R. SUMI, AGED 43 YEARS, DAUGHTER OF E.A. RAMAN BHATTATHIRIPAD, UNEMPLOYED, RESIDING AT EDATHAMARAMANA, 37/314 A, KALOOR-KADAVANTHRA ROAD, KADAVANTHRA P.O., ERNAKULAM DISTRICT,, PIN – 682 020

BY ADVS.
BASIL MATHEW
NINAN JOHN
SANJANA SARA VARGHESE ANNIE
ARYA A.R.
MARGRET MARIA SIJU

RESPONDENTS/RESPONDENTS/RESPONDENTS/RESPONDENTS AND PETITIONER NO.16:

1 MALATHI, AGED 58 YEARS, WIFE OF GANGADHARAN, BUSINESS, BEST BAKERY, C.C. 55/1078, GROUND FLOOR, EDATHAMARAMANA SHOPPING COMPLEX (E.M.S. SHOPPING COMPLEX), KADAVANTHRA, KOCHI, PIN – 682 020

2 GANGADHARAN, AGED 65 YEARS, SON OF RAMAN, BUSINESS, BEST BAKERY, C.C. 55/1060, GROUND FLOOR, EDATHAMARAMANA SHOPPING COMPLEX (E.M.S. SHOPPING COMPLEX) KADAVANTHRA, KOCHI, PIN – 682 020

3 SARITHA ARYAN, AGED 49 YEARS, DAUGHTER OF LATE CHERIYA ARYAN BHATTATHIRIPAD, MEDICAL PRACTITIONER, RESIDING AT EDATHAMARAMANA, 37/314, KALOOR-KADAVANTHRA ROAD, KADAVANTHRA P.O., ERNAKULAM DISTRICT, PIN – 682 020

BY ADVS.
REJI GEORGE George
AJAY KRISHNAN S.
PARVATHY GIRISH(K/001911/2021)
SAISANKAR.S(K/002188/2021)
JOSEPH RAJU MATHEWS(K/002036/2024)

THIS OP (RENT CONTROL) HAVING COME UP FOR ADMISSION ON 10.04.2025, ALONG WITH OP (RC).70/2025 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MR.JUSTICE P. KRISHNA KUMAR

THURSDAY, THE 10TH DAY OF APRIL 2025 / 20TH CHAITHRA, 1947

OP (RC) NO. 80 OF 2025

AGAINST THE ORDER DATED 08.08.2024 IN RCP NO.100 OF 2020 OF III ADDITIONAL MUNSIFF COURT, ERNAKULAM (RENT CONTROL)

PETITIONERS/PETITIONER/PETITIONER/PETITOINERS 1 TO 3, 5 TO 7, 9 TO 15 AND LR OF PETITIONER NO.8:

1 **PARVATHY ANTHARJANAM, AGED 78 YEARS, WIFE OF LATE E.A SANKARANARAYANAN BHATTATHIRIPAD, HOUSEWIFE, RESIDING AT SREESYLAM-EDATHAMARAMANA, 37/1953, KALOOR-KADAVANTHRA ROAD, KALOOR P.O., ERNAKULAM DISTRICT, PIN – 682 017**

2 **E.S. MADHU, AGED 55 YEARS, SON OF LATE E.A SANKARANARAYANAN BHATTATHIRIPAD, BUSINESS, RESIDING AT SREESYLAM-EDATHAMARAMANA, 37/1953, KALOOR-KADAVANTHRA ROAD, KALOOR P.O., ERNAKULAM DISTRICT, PIN – 682 017**

3 **E.S. MAHESH, AGED 53 YEARS, SON OF LATE E.A SANKARANARAYANAN BHATTATHIRIPAD, BUSINESS, RESIDING AT SREESYLAM-EDATHAMARAMANA, 37/1953, KALOOR-KADAVANTHRA ROAD, KALOOR P.O., ERNAKULAM DISTRICT, PIN – 682 017**

4 **NALINI ANTHARJANAM, AGED 76 YEARS, WIFE OF E.A**

SREEDHARAN BHATTATHIRIPAD, HOUSEWIFE, RESIDING AT RAJASREE-EDATHAMARAMANA, 63/477, CENTRAL SCHOOL ROAD, KADAVANTHRA P.O, ERNAKULAM DISTRICT, PIN – 682 020

5 **RAJESH E.S. , AGED 54 YEARS, SON OF E.A SREEDHARAN BHATTATHIRIPAD, BUSINESS, RESIDING AT RAJASREE-EDATHAMARAMANA, 63/477, CENTRAL SCHOOL ROAD, KADAVANTHRA P.O, ERNAKULAM DISTRICT, PIN – 682 020**

6 **SREEJA E.S., AGED 52 YEARS, DAUGHTER OF E.A SREEDHARAN BHATTATHIRIPAD, BUSINESS, RESIDING AT RAJASREE-EDATHAMARAMANA, 63/477, CENTRAL SCHOOL ROAD, KADAVANTHRA P.O, ERNAKULAM DISTRICT, PIN – 682 020**

7 **SREEDEVI ANTHARJANAM, AGED 73 YEARS, WIFE OF E.A. RAMAN BHATTATHIRIPAD, HOUSEWIFE, RESIDING AT EDATHAMARAMANA, 37/314 A, KALOOR-KADAVANTHRA ROAD, KADAVANTHRA P.O., ERNAKULAM DISTRICT, PIN – 682 020**

8 **E.R. MINI, AGED 50 YEARS, DAUGHTER OF E.A. RAMAN BHATTATHIRIPAD, BANK EMPLOYEE, RESIDING AT EDATHAMARAMANA, 37/314 A, KALOOR-KADAVANTHRA ROAD, KADAVANTHRA P.O., ERNAKULAM DISTRICT, PIN – 682 020**

9 **E.A. VIRUPAKSHAN BHATTATHIRIPAD, AGED 74 YEARS SON OF LATE VALIYA ARYAN BHATTATHIRIPAD, BUSINESS, RESIDING AT MALIKA-EDATHAMARAMANA, 37/314A, KALOOR-KADAVANTHRA ROAD, KADAVANTHRA P.O., ERNAKULAM DISTRICT, PIN – 682 020**

0 **SANTHA ANTARJANAM, AGED 66 YEARS, RETIRED PROFESSOR, RESIDING AT MALIKA-EDATHAMARAMANA, 37/314A, KALOOR-KADAVANTHRA ROAD, KADAVANTHRA P.O., ERNAKULAM DISTRICT, PIN – 682 020**

11 **GAUTHAM ARYAN, AGED 44 YEARS, BUSINESS, RESIDING AT MALIKA-EDATHAMARAMANA, 37/314A, KALOOR-KADAVANTHRA ROAD, KADAVANTHRA P.O., ERNAKULAM DISTRICT, PIN – 682 020**

12 E.V. NEELIMA, AGED 42 YEARS, HOUSEWIFE, RESIDING AT MALIKA-EDATHAMARAMANA, 37/314A, KALOOR-KADAVANTHRA ROAD, KADAVANTHRA P.O., ERNAKULAM DISTRICT, PIN – 682 020

13 NIRMALA K., AGED 74 YEARS, WIFE OF LATE CHERIYA ARYAN BHATTATHIRIPAD, RETIRED PROFESSOR, RESIDING AT EDATHAMARAMANA, 37/314, KALOOR-KADAVANTHRA ROAD, KADAVANTHRA P.O., ERNAKULAM DISTRICT, PIN – 682 020

14 E. R. SUMI, AGED 43 YEARS, DAUGHTER OF E.A. RAMAN BHATTATHIRIPAD, UNEMPLOYED, RESIDING AT EDATHAMARAMANA, 37/314 A, KALOOR-KADAVANTHRA ROAD, KADAVANTHRA P.O., ERNAKULAM DISTRICT, PIN – 682 020

BY ADVS.
BASIL MATHEW
NINAN JOHN
SANJANA SARA VARGHESE ANNIE
ARYA A.R.

<u>RESPONDENTS/RESPONDENTS/RESPONDENTS/AND PETITIONER NO.16:</u>

1 P M SUNNY, AGED 56 YEARS, SON OF P.T.MATHEW, BUSINESS, ROYAL MEDICALS, C.C. 55/1024 & C.C. 55/1029 GROUND FLOOR, EDATHAMARAMANA SHOPPING COMPLEX (E.M.S. SHOPPING COMPLEX), KADAVANTHARA, KOCHI, PIN – 682 020

2 C.M.K.KURUP, AGED 76 YEARS, SON OF APPU KURUP, BUSINESS, ROYAL MEDICALS, C.C. 55/1024 & C.C. 55/1029 GROUND FLOOR, EDATHAMARAMANA SHOPPING COMPLEX (E.M.S. SHOPPING COMPLEX), KADAVANTHARA, KOCHI, PIN – 682 020

3 M.S.VENUGOPAL MENON, AGED 78 YEARS, SON OF SANKUNNY PANICKER, BUSINESS, ROYAL MEDICALS,

C.C. 55/1024 & C.C. 55/1029, GROUND FLOOR, EDATHAMARAMANA SHOPPING COMPLEX (E.M.S. SHOPPING COMPLEX), KADAVATHARA, KOCHI, PIN – 682 020

4 SARITHA ARYAN, AGED 49 YEARS, DAUGHTER OF LATE CHERIYA ARYAN BHATTATHIRIPAD, MEDICAL PRACTITIONER, RESIDING AT EDATHAMARAMANA, 37/314, KALOOR-KADAVANTHRA ROAD, KADAVANTHRA P.O., ERNAKULAM DISTRICT, PIN – 682 020

BY ADVS.
AJAY KRISHNAN S.
REJI GEORGE George
PARVATHY GIRISH(K/001911/2021)
SAISANKAR.S(K/002188/2021)
JOSEPH RAJU MATHEWS(K/002036/2024)

THIS OP (RENT CONTROL) HAVING COME UP FOR ADMISSION ON 10.04.2025, ALONG WITH OP (RC).70/2025 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J U D G M E N T

[OP (RC) Nos.70/2025, 69/2025, 78/2025, 80/2025]

A. Muhamed Mustaque, J.

The landlord has approached this Court challenging the order passed by the Rent Control Court, which reads thus:

> **"Both sides represented. Respondent represented. The respondent is denying the title of petitioners in their objection. Hence this court is of the view that by virtue of Sec 11(1) of the Kerala Buildings (Lease and Rent Control) Act, 1965, bonafide of the question raised regarding the denial of title of petitioner with regard to the petition schedule property be heard first. Since common question of law was raised by the respondents in all other connected rent control petitions, this common question be considered altogether. Hence for hearing on maintainability as to the bonafides of question of title, Last chance."**

2. It is now reported that there are altogether 43 cases pending before the Rent Control Court. In all these cases, an issue regarding the denial of title of the landlord has been raised and the same has been rejected. Therefore, it is submitted that this court could not have postponed these matters for hearing based on the above order. We are of the

view that the issue regarding denial of title of the landlord can be considered during the trial, and the matter need not be heard at threshold which may protract the proceedings before the Rent Control Court. The landlord also can produce the orders in the connected matters as a piece of evidence to enable the court to adjudicate on the issue raised by the tenant questioning the title of the landlord. Therefore, the impugned order is set aside, paving a way for reconsideration during trial. The Rent Control Court shall also consider all these cases to be tried jointly.

These original petitions are disposed of as above.

Sd/-
A.MUHAMED MUSTAQUE
JUDGE

Sd/-
P. KRISHNA KUMAR
JUDGE

PR

APPENDIX OF OP (RC) 70/2025

PETITIONER EXHIBITS

Exhibit P1	**THE TRUE COPY OF THE RENT CONTROL PETITION IN R.C.P. 133/2020 DATED 21.08.2020 OF THE HON'BLE RENT CONTROL COURT, ERNAKULAM**
Exhibit P2	**THE TRUE COPY OF THE OBJECTION DATED 13.07.2023 FILED BY THE RESPONDENT NO.1 IN RCP 133/2020 ON THE FILES OF HON'BLE RENT CONTROL COURT, ERNAKULAM**
Exhibit P3	**THE TRUE COPY OF I.A. NO.1/2023 IN RCP 133/2020 DATED 31.10.2023 ON THE FILES OF HON'BLE RENT CONTROL COURT, ERNAKULAM**
Exhibit P4	**THE TRUE COPY OF THE OBJECTION FILED BY THE RESPONDENT NO.1 IN I.A. NO. 1/2023 IN RCP 133/2020 DATED 2.1.2024 ON THE FILES OF HON'BLE RENT CONTROL COURT, ERNAKULAM**
Exhibit P5	**THE TRUE COPY OF THE ORDER DATED 5.07.2024 IN RCP 133/2020 ON THE FILES OF THE RENT CONTROL COURT, ERNAKULAM**
Exhibit P6	**THE TRUE COPY OF THE LEASE DEED DATED 11.8.1986 EXECUTED BY THE RESPONDENT NO.1 IN FAVOUR OF PETITIONER NO.3**
Exhibit P7	**THE TRUE COPY OF THE CHEQUE BEARING NO. 528383 DATED 06.01.2025 DRAWN ON SBI, ELAMKULAM BRANCH ISSUED BY RESPONDENT NO.1 TO PETITIONER NO 3**
Exhibit P8	**THE TRUE COPY OF THE APPLICATION DATED 31.3.2021 SUBMITTED BY THE RESPONDENT NO.1 BEFORE THE COCHIN CORPORATION OBTAINED UNDER THE RIGHT TO INFORMATION ACT**

Exhibit P9	**THE TRUE COPY OF THE APPLICATION DATED 20.3.2019 SUBMITTED BY THE RESPONDENT NO.1 BEFORE THE COCHIN CORPORATION OBTAINED UNDER THE RIGHT TO INFORMATION ACT**
Exhibit P10	**THE TRUE COPY OF W.P. NO. 23354/2024 DATED 03.07.2024 OF THE HONOURABLE HIGH COURT OF KERALA**
Exhibit P11	**THE TRUE COPY OF I.A. 1/2024 IN W.P. NO. 23354/2024 DATED 03.07.2024**
Exhibit P12	**THE TRUE COPY OF THE ORDER PASSED IN O.P. (RC) 104/2024 DATED 03.10.2024**
Exhibit P13	**THE TRUE COPY OF THE ORDER DATED 3.2.2025 IN SLP (C) NO. 29987/2024 OF THE SUPREME COURT OF INDIA**

APPENDIX OF OP (RC) 69/2025

PETITIONER EXHIBITS

Exhibit P1	**THE TRUE COPY OF THE RENT CONTROL PETITION IN R.C.P. 102/2020 DATED 17.08.2020 OF THE HON'BLE RENT CONTROL COURT, ERNAKULAM**
Exhibit P2	**THE TRUE COPY OF THE OBJECTION DATED 25.06.2023 FILED BY THE RESPONDENT IN RCP 102/2020 ON THE FILES OF HON'BLE RENT CONTROL COURT, ERNAKULAM**
Exhibit P3	**THE TRUE COPY OF I.A. NO.1/2023 IN RCP 102/2020 DATED 30.10.2023 ON THE FILES OF HON'BLE RENT CONTROL COURT, ERNAKULAM**
Exhibit P4	**THE TRUE COPY OF THE OBJECTION FILED BY THE RESPONDENTS IN I.A. NO. 1/2023 IN RCP 102/2020 DATED 2.1.2024 ON THE FILES OF HON'BLE RENT CONTROL COURT, ERNAKULAM**
Exhibit P5	**THE TRUE COPY OF THE ORDER DATED 5.07.2024 IN RCP 102/2020 ON THE FILES OF THE RENT CONTROL COURT, ERNAKULAM**
Exhibit P6	**THE TRUE COPY OF THE LEASE DEED DATED 6.1.1986 EXECUTED BY THE RESPONDENT IN FAVOUR OF LATE VALIYA ARYAN BHATTATHIRIPAD**
Exhibit P7	**THE TRUE COPY OF THE CHEQUE BEARING NO. 10713529 DATED 16.12.2025 DRAWN ON FEDERAL BANK LTD, GIRINAGAR BRANCH ISSUED BY RESPONDENT NO.1**
Exhibit P8	**THE TRUE COPY OF THE APPLICATION ALONG WITH ANNEXURES DATED 27.02.2020 SUBMITTED BY THE RESPONDENT BEFORE THE COCHIN CORPORATION**

Exhibit P9	**THE TRUE COPY OF THE ORDER PASSED IN O.P. (RC) 104/2024 DATED 03.10.2024**
Exhibit P10	**THE TRUE COPY OF THE ORDER DATED 3.2.2025 IN SLP (C) NO. 29987/2024 OF THE SUPREME COURT OF INDIA**

APPENDIX OF OP (RC) 78/2025

PETITIONER EXHIBITS

Exhibit P1	**THE TRUE COPY OF THE RENT CONTROL PETITION IN R.C.P. 129/2020 DATED 21.08.2020 OF THE HON'BLE RENT CONTROL COURT, ERNAKULAM**
Exhibit P2	**THE TRUE COPY OF THE OBJECTION DATED 15.07.2023 FILED BY THE RESPONDENTS IN RCP 129/2020 ON THE FILES OF HON'BLE RENT CONTROL COURT, ERNAKULAM**
Exhibit P3	**THE TRUE COPY OF I.A. NO.2/2023 IN RCP 129/2020 DATED 01.11.2023 ON THE FILES OF HON'BLE RENT CONTROL COURT, ERNAKULAM**
Exhibit P4	**THE TRUE COPY OF THE OBJECTION FILED BY THE RESPONDENT NO.1 AND 2 IN I.A. NO. 2/2023 IN RCP 129/2020 DATED 2.1.2024 ON THE FILES OF HON'BLE RENT CONTROL COURT, ERNAKULAM**
Exhibit P5	**THE TRUE COPY OF THE ORDER DATED 5.07.2024 IN RCP 129/2020 ON THE FILES OF THE RENT CONTROL COURT, ERNAKULAM**
Exhibit P6	**THE TRUE COPY OF THE LEASE DEED DATED 10.11.1990 EXECUTED BY THE RESPONDENT NO.1**
Exhibit P7	**THE TRUE COPY OF THE CHEQUE BEARING NO. 528383 DATED 06.01.2025 DRAWN ON SBI, ELAMKULAM BRANCH ISSUED BY RESPONDENT NO.2 TO PETITIONER NO 3**
Exhibit P8	**THE TRUE COPY OF THE APPLICATION DATED 31.3.2021 SUBMITTED BY THE RESPONDENT NO.2 BEFORE THE COCHIN CORPORATION OBTAINED UNDER THE RIGHT TO INFORMATION ACT**

Exhibit P9	**THE TRUE COPY OF THE APPLICATION DATED 20.3.2019 SUBMITTED BY THE RESPONDENT NO.2 BEFORE THE COCHIN CORPORATION OBTAINED UNDER THE RIGHT TO INFORMATION ACT**
Exhibit P10	**THE TRUE COPY OF THE ORDER PASSED IN O.P. (RC) 104/2024 DATED 03.10.2024**
Exhibit P11	**THE TRUE COPY OF THE ORDER DATED 3.2.2025 IN SLP (C) NO. 29987/2024 OF THE SUPREME COURT OF INDIA**

APPENDIX OF OP (RC) 80/2025

PETITIONER EXHIBITS

Exhibit P1	**THE TRUE COPY OF THE RENT CONTROL PETITION IN R.C.P. 100/2020 DATED 17.08.2020 OF THE HON'BLE RENT CONTROL COURT, ERNAKULAM**
Exhibit P2	**THE TRUE COPY OF THE OBJECTION DATED 13.09.2023 FILED BY THE RESPONDENT NO.1 IN RCP 100/2020 ON THE FILES OF HON'BLE RENT CONTROL COURT, ERNAKULAM**
Exhibit P3	**THE TRUE COPY OF I.A. NO.1/2023 IN RCP 100/2020 DATED 31.10.2023 ON THE FILES OF HON'BLE RENT CONTROL COURT, ERNAKULAM**
Exhibit P4	**THE TRUE COPY OF THE OBJECTION FILED BY THE RESPONDENT NO. 2 IN I.A. NO. 1/2023 IN RCP 100/2020 DATED 2.1.2024 ON THE FILES OF HON'BLE RENT CONTROL COURT, ERNAKULAM**
Exhibit P5	**THE TRUE COPY OF THE ORDER DATED 08.08.2024 IN RCP 100/2020 ON THE FILES OF THE RENT CONTROL COURT, ERNAKULAM**
Exhibit P6	**THE TRUE COPY OF THE LEASE DEED DATED 01.02.2002 EXECUTED BY THE RESPONDENT NO.1-3 IN FAVOUR OF PETITIONER NO.S 11,12 AND LATE AMIRTHA**
Exhibit P7	**THE TRUE COPY OF THE APPLICATION DATED NIL SUBMITTED BY REJU KURUP FOR THE YEAR 2021-2022 BEFORE THE COCHIN CORPORATION OBTAINED UNDER THE RIGHT TO INFORMATION ACT**
Exhibit P8	**THE TRUE COPY OF THE APPLICATION DATED NIL SUBMITTED BY REJU KURUP FOR THE YEAR 2022-2023 BEFORE THE COCHIN**

	CORPORATION OBTAINED UNDER THE RIGHT TO INFORMATION ACT
Exhibit P9	**THE TRUE COPY OF THE ORDER PASSED IN O.P. (RC) 104/2024 DATED 03.10.2024**
Exhibit P10	**THE TRUE COPY OF THE ORDER DATED 3.2.2025 IN SLP (C) NO. 29987/2024 OF THE SUPREME COURT OF INDIA**