

**Davis vs Davis**

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**SooperKanoon Citation :** [sooperkanoon.com/1294599](https://sooperkanoon.com/1294599)

**Court :** Kerala Orders

**Decided On :** Mar-12-2024

**Judge :** Honourable Mr. Justice Anil K.Narendran,Honourable Mr. Justice G.Girish

**Appeal No. :** RCRev./23/2017

**Appellant :** DAVIS

**Respondent :** DAVIS

**Judgement :**

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE ANIL K. NARENDRAN & THE HONOURABLE MR.JUSTICE G. GIRISH TUESDAY, THE 12TH DAY OF MARCH 2024 / 22ND PHALGUNA, 1945 RCREV.NO.23 OF 2017 AGAINST THE JUDGMENT DATED 29.09.2016 IN RCA NO.40 OF 2009 OF THE RENT CONTROL APPELLATE AUTHORITY (ADDITIONAL DISTRICT COURT), THRISSUR ARISING OUT OF THE ORDER DATED 31.03.2009 IN RCP NO.74 OF 2005 OF RENT CONTROL COURT (PRINCIPAL MUNSIF COURT), THRISSUR REVISION PETITIONERS/APPELLANTS//2ND AND 3RD RESPONDENTS /TENANTS: 1 DAVIS, AGED 58 YEARS, S/O.KANNAMPUZHA CHAKKU, 2 PHILOMINA, AGED 51 YEARS,

W/O.KANNAMPUZHA CHAKKU, SANTHOSH P.PODUVAL R.RAJITHA VYSAKH VIJAYAN RESPONDENTS/RESPONDENTS/1ST RESPONDENT AND HIS LEGAL HEIRS: 1 DAVIS, S/O.ELUVATHINGAL VAREED, THRISSUR DESOM VILLAGE & TALUK, THRISSUR DISTRICT-680001 \*2 ANNIE JOHNSON, D/O.LATE KANNAMPUZHA CHAKKU, MISSION QUARTERS, THRISSUR VILLAGE & TALUK, THRISSUR DISTRICT-680001 \*(DIED) 3 K.C.GEORGE 4 JOSEPH CHAKKU 5 ROSY DAVIS D/O.LATE KANNAMPUZHA CHAKKU,MISSION QUARTERS, \*\*6 DEVASSYKUTTY THRISSUR VILLAGE & TALUK, THRISSUR DISTRICT-680001. \*\*(THE NAME OF THE 6TH RESPONDENT IS CORRECTED AS MARY, W/O DEVASSYKUTTY, D/O LATE KANNAMPUZHA CHAKKU, MISSION QUARTERS, THRISSUR DISTRICT-680001, AS PER ORDER DATED 25/10/2017 IN I.A.NO.2679/2017.)

\*\*\*7 ANNIE DAVIS, AGED 62 YEARS, W/O LATE DAVIS, ELUVATHINKAL HOUSE, MISSION QUARTERS, THRISSUR DISTRICT. 8 TINI SAIMON, AGED 34 YEARS, D/O LATE DAVIS, MUTTICHOOKKARAN HOUSE, PANAMUKKU, NEDUPUZHA P.O., 9 VINI JINOY, AGED 32 YEARS,D/O LATE DAVIS, KODIYATH KARALATHUKKARAN HOUSE, PUTHUR P.O., 10 SINI JOVI, AGED 30 YEARS, D/O LATE DAVIS, PULIKKAN HOUSE, JOHNY VIMALA,BANGALORE. \*\*\*(ADDITIONAL RE- SPONDENTS 7 TO 10 ARE INCLUDED IN THE RCR AS LEGAL HEIRS OF THE DECEASED R1 AS PER ORDER DATED SRI.DILIP J. AKKARA (CAVEATOR) SMT.RASHIDA CHEMMENAMPALLY RASHIDA CHEMMENAMPALLY G.SREEKUMAR (CHELUR) SRI.DILIP J. AKKARA CAVEATOR THIS RENT CONTROL REVISION HAVING COME UP FOR ON 12.03.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANIL K. NARENDRAN & G. GIRISH, JJ.

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Dated this the 12th day of March, 2023

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## ORDER

**G. Girish, J.**

Respondents 2 and 3 in R.C.P.No.74 of 2005 of the Rent Control Court, Thrissur, have filed this revision against the concurrent orders of eviction passed by the said court and the Rent Control Appellate Authority, Thrissur against them.

2. At the request of the parties, the case was referred for mediation at the instance of District Mediation Centre, Thrissur.

3. The matter was accordingly reported as settled in mediation, and a mediation agreement dated 02.09.2023 signed by the parties and their pleaders, was forwarded to this Court.

4. When the case was taken up for consideration on

06.03.2024, it was submitted by the learned counsel representing both sides that the matter has been amicably settled in the mediation conducted at the District Mediation Centre, Thrissur. However, on verification of the mediation agreement forwarded from the District Mediation Centre, Thrissur, it was noticed that the said agreement is vitiated by spelling mistakes, grammatic mistakes and lack of clarity. When the above aspect was brought to the notice of the learned counsel for the revision petitioners and the learned counsel for the respondents, they sought time for further steps.

5. Today, when the case was taken again for consideration,

the learned counsel for the revision petitioners submitted that the revision can be disposed of as withdrawn, since there was no need to proceed further in view of the settlement between the parties. Thus, it is submitted that this revision is not pressed, since the matter has been settled between the parties. In the result, the revision is dismissed as withdrawn. Transmit a copy of this order to the Director, Kerala State Mediation and Conciliation Centre, for information. ANIL K.

NARENDRAN, JUDGE G. GIRISH, JUDGE vgd

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