

Damodharan vs Ramani

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Court : Kerala

Decided On : Dec-01-2023

Judge : Honourable Mr. Justice P.B.Suresh Kumar, Honourable Mr. Justice Johnson John

Appeal No. : RCRcv./257/2023

Appellant : Damodharan

Respondent : Ramani

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE P.B.SURESH KUMAR & THE HONOURABLE MR. JUSTICE JOHNSON JOHN FRIDAY, THE 1ST DAY OF DECEMBER 2023 / 10TH AGRAHAYANA, RCREV. NO. 257 OF 2023 AGAINST THE ORDER DATED 31.01.2019 IN RCP NO.35 OF 2016 OF MUNSIF COURT, CHAVAKKAD CONCURRING WITH THE COMMON

JUDGMENT IN RCA NO.105 OF 2019 DATED 30.09.2023 OF

DISTRICT COURT & SESSIONS COURT, THRISSUR REVISION PETITIONER/APPELLANTS/RESPONDENTS: 1 DAMODHARAN, AGED 72 YEARS S/O. VELAPPAN, KANNEMKOTT VEETIL, 2 DASAN, AGED 45 YEARS

S/O DAMODHARAN, KANNEMKOTT VEETIL, BY ADV SAIJO HASSAN
RESPONDENTS/RESPONDENTS/PETITIONERS: 1 RAMANI, AGED 58 YEARS
W/O THOTTAPARAMBATH VEETIL RAVEENDRAN, CHAVAKKAD TALUK, PIN
- 680619

2 RENADHEER, AGED 35 YEARS S/O THOTTAPARAMBATH VEETIL
RAVEENDRAN, CHAVAKKAD TALUK, THRISSUR DISTRICT, PIN - 680619 -:2:-

3 REJINA, AGED 30 YEARS D/O THOTTAPARAMBATH VEETIL
RAVEENDRAN, THIS RENT CONTROL REVISION HAVING COME UP FOR
ADMISSION ON 01.12.2023, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING: -:3:- P.B.SURESH KUMAR & JOHNSON JOHN, JJ. Dated this
the 01st day of December, 2023

ORDE R

P.B.Suresh Kumar, J.

The tenants in a proceedings for eviction under the Kerala Buildings (Lease and Rent Control) Act, 1965 (the Act) have instituted this revision petition challenging the concurrent orders of eviction suffered by them in a proceedings under Sections 11(2)(b) and 11(3) of the Act.

2. After arguing the matter for quite some time,

having convinced that the various arguments raised on behalf of the petitioners are not acceptable to the court, the learned counsel for the petitioners prayed for indulgence for a reasonable time to surrender vacant possession of the premises, which is the subject matter of the proceedings, to the respondents.

3. Having regard to the facts and circumstances of the

case as also the orders passed in similar and identical revisions, the rent control revision is disposed of granting six months' time from -:4:- today to the petitioners to surrender vacant possession of the premises on condition that they shall file an unconditional undertaking before the Rent Control Court within two weeks from the date of receipt of a copy of this order to vacate the tenanted premises within six

months and also that they shall pay the arrears of rent, if any, within the aforesaid time limit and continue to pay the monthly rent on or before the tenth day of every succeeding month, till they vacate the premises. P.B.SURESH KUMAR, JUDGE. JOHNSON JOHN, JUDGE. ds 01.12.2023

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