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Smitha Sahadevan vs Thomas George

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Court : Kerala Orders

Decided On : Mar-30-2022

Judge : Honourable Mr. Justice Anil K.Narendran,Honourable Mr.Justice P.G. Ajithkumar

Appeal No. : RCRev./32/2019

Appellant : Smitha Sahadevan

Respondent : Thomas George

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE ANIL K.NARENDRAN & THE HONOURABLE MR.JUSTICE P.G. AJITHKUMAR WEDNESDAY, THE 30TH DAY OF MARCH 2022 / 9TH CHAITHRA, 1944 RCREV. NO. 32 OF 2019 AGAINST THE JUDGMENT DATED 26.10.2018 IN R.C.A.NO.16 OF 2012 OF THE ADDITIONAL RENT CONTROL APPELLATE AUTHORITY-I (DISTRICT COURT), KOTTAYAM ARISING OUT OF THE ORDER DATED 30.01.2012 IN R.C.P.NO.29 OF 2009 OF THE RENT CONTROL COURT (PRINCIPAL MUNSIFF), KOTTAYAM REVISION PETITIONER/APPELLANT/RESPONDENT: SMITHA SAHADEVAN, AGED 39 YEARS, W/O. SANEESH KUMAR,

SANTHOSH BHAVAN, MUTTAMBALAM KARA, MUTTAMBALAM VILLAGE, KOTTAYAM TALUK, KOTTAYAM. PIN - 686 002. BY ADVS.SRI.S.RANJIT (KOTTAYAM) SRI.GOKUL DAS V.V.H. RESPONDENT/RESPONDENT/PETITIONER: THOMAS GEORGE S/O. K.T. GEORGE, KAKKUZHIYIL HOUSE, NATTASSERY KARA, S.H. MOUNT P.O., KOTTAYAM. PIN - 686 006. R BY ADV SRI.GEORGE SEBASTIAN THIS RENT CONTROL REVISION HAVING COME UP FOR ADMISSION ON 30.03.2022, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: -2-

ORDER

Anil K. Narendran, J.

The petitioner, who is the respondent-tenant in R.C.P.No.29 of 2009 on the file of the Rent Control Court (Principal Munsiff), Kotttayam and the appellant in R.C.A.No.16 of 2012 on the file of the Additional Rent Control Appellate Authority-I, Kottayam, has filed this Rent Control Revision, invoking the provisions under Section 20 of the Kerala Buildings (Lease and Rent Control) Act, 1965, challenging the order of eviction dated 31.01.2012 granted by the Rent Control Court in R.C.P.No.29 of 2009 and the

judgment dated 26.10.2018 of the Rent Control Appellate

Authority in R.C.A.No.16 of 2012, whereby the order of eviction granted by the Rent Control Court under Sections 11(4)(iv) and 11(4)(v) of the Act, stands confirmed.

2. On 21.01.2019, when this Rent Control Revision came up for admission, this Court admitted the matter on file and issued notice by special messenger to the respondent.

3. On 09.03.2022, after arguing for sometime, the learned counsel for the petitioner sought short adjournment. -3-

4. Heard the learned counsel for the petitioner-tenant and also the learned counsel for the respondent-landlord.

5. The learned counsel for the respondent-landlord

would submit that the tenant has already vacated the petition schedule building giving vacant possession to the landlord and that, the key of the building has already been handed over.

6. The learned counsel for the petitioner would submit that the petitioner do not want to prosecute this revision further and therefore, the same may be dismissed as not pressed.

Recording the above submission made by the learned counsel for the petitioner, this Rent Control Revision is dismissed as not pressed. ANIL K. NARENDRAN, JUDGE P.G. AJITHKUMAR, JUDGE AV/31/3

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