

Leelamma Thomas, vs the Greater Cochin Development Authority,

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Court : Kerala Orders

Decided On : Jun-29-2022

Judge : Honourable Mr.Justice V.G.Arun

Appeal No. : WP(C)/5104/2019

Appellant : Leelamma Thomas,

Respondent : The Greater Cochin Development Authority,

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT THE HONOURABLE MR.JUSTICE V.C.ARUN WEDNESDAY, THE 29TH DAY OF JUNE 2022 / 8TH ASHADHA, 1944 Wpfcl ivo. 5164 OF 219 pETITIONER : LEELAMMA THOMAS, AGED 68 YEARS KOTTARAM HOUSE, enATTATHIRIpp AD fto AD, ELAMKULAM, KOCHI. PIN -682 17. BY ADV T.H.ABDUL AZEEZ RESPONDENTS : 1 THE GREATER COCHIN DEVELOPMENT AUTHORITY, REPRESENTED BY ITS SECRETARY, KADAVANTHARA, KOCHI. PIN . 682 20. THE SECRETARY, THE GREATER COCHIN WOULD DEVELOPMENT AUTHORITY, RADAVANTHARA, KOCHI. PIN -682 020. THE ASSISTANT ADMINISTRATIVE OFFICER, THE GREATER COCHIN WOULD DEVELOPMENT AUTHORITY, KADAVANTHARA, KOCHI. PIN - 682 2.

BY ADVS. VIPIN P VARCHESE, STANDING COUNSEL FOR CCDA ARUN ANTONY THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 29.06.2022, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: WP(C) NO. 514 OF 2019 Dated this the 29th day of June, 2022 Learned Counsel for the petitioner submits that the dispute involved has been settled through mediation. This is recorded and the writ petition is closed. Sd/- V.G.ARUN JUDGE NB/29-6 WP(C) NO. 5104 OF 2019 APPENDIX OF WP/CI 5104/2019 PETITIONER'S EXHIBITS EXHIBIT P1 TRUE COPY OF THE LEASE AGREEMENT DATED THE PETITIONER SRI. M.S.THOMAS AND THE 1ST RESPONDENT . EXHIBIT P2 TRUE COPY OF ORDER DATED 24/4/2017 ISSUED BY THE 1ST RESPONDENT. EXHIBIT P3 TRUE COPY OF THE NOTICE NO 1517/C5B/CMD/CCDA/2018 DATED 12/6/2018 ISSUED BY THE 1ST RESPONDENT TO THE PETITIONER. EXHIBIT P4 TRUE COPY OF THE OBJECTIONS DATED 1/6/2018 SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT . EXHIBIT P5 TRUE COPY OF THE ORDER NO 1210/C14/81/CCDA DATED 17/1/2018 ISSUED BY THE 3RD RESPONDENT TO THE PETITIONER. RESPONDENTS' EXHIBITS : NIL

TRUE COPY P.A. T JUDGE BEFORE THE HONOURABLE HIGH COURT OF KERALA AT ERNAKULAM Wip.(C). No. 5104/2019 Leelamma Thomas Petitioner Vs. Greater cochin Development Authority : Respondents & Others REPORT SUBMITTED BY THE MEDIATOR ADV. REZIYA P.A. Mediated, matter is settled. Terms and conditions are attached herewith. Dated this the 14th day of June, 2022. EIE v. Reziya P.A. Mediator Ernakulam Mediation Centre BEFORE THE HONOURABLE HIGH COURT OF KERALA AT ERNAKULAM Leelamma Thomas -iJ4Qj- Petitioner Vs.. Respondents Greater cochin Development Authority : & Others n MEMORANDUM OF AGREEMENT UNDER SECTION 89 OF THE CODE OF CIVIL PROCEDURE READ WITH RULES 24 & 25 OF THE KERALA CIVIL PROCEDURE (MEDIATION), RULES, 2008=

1. Both parties hereby agree that the rent is fixed at the rate of Rs 25/Sq.ft per month for the area of 313.437 sq.ft, and paid monthly from 14/06/2022. The rent will increase @ 5% in every year from this date and corresponding security deposit is to be paid.

2. Both parties further agree that all other conditions in the a rental agreement between the petitioner and respondent will continue.

3. Petitioner agrees to pay the difference between GST paid

by GCDA on the enhanced rent demanded by GCDA and the GST collected from the petitioner if any till the date of interim order dated 20/02/2019 was passed by this Hon'ble Court. ixif'rmA,LA_rfyfr:r rl`ìrl,l,al6neu (oficActw AV'^/l:r`:::....).Lfr heralastai@`bbL ..., iJ;.. ` , ...udtioricmrg High Court of Kerala Kochi - 682 031 -2-

4. Petitioner agrees to pay the rent arrear if any within 3 months from this date. However, the exemption on rent granted due to Covid-19 shall be granted to the petitioner.

5. In violation of the conditions as stated above any of the aggrieved party can approach before the Court for n executing the decree passed in the above case.

6. Both the parties agrees to dispose of the above Writ

Petition in terms of the compromise agreement without cost to either parties. Dated this the 14th day of June, 2022. Petitioner ^J- Leelamma Thomas Respondent]E- c/c,'L[cAm,tmfro- /T,v,,# Greater Cochin Development Authority ffu3ledGfi-ig f- d,rlr' ~fr Counsel for the Petitioner -3+--+ ^eidia ialt; iiiiiediati jon an`J l?T`,r,iiia:ion centre High Court of Kerala Kochi -682 031

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