

IN THE COURT OF DISTRICT JUDGE, ERNAKULAM

Present:

Sri.V P M Suresh Babu, Additional District Judge-VII
(I/c of District Judge)

Friday, the 7th day of November, 2025/16th Karthika, 1947

I.A No.1 of 2025 in C.M.A.No.90 of 2025

Petitioner/Appellant:-

Faisal S.H., aged 34 years, S/o. Haneef, Saitharath House, SDPY Road,
Palluruthy P.O, Ernakulam-682006.

By Adv. Arjun S

Respondents/Respondents:-

1. Abdul Hameed, aged 83 years, S/o Muhammed, Periyamkunnath House, Changanpuzha Nagar P.O, Puthupallipram Kara, Thrikkakara North Village, Kanayannoor Taluk, Ernakulam-682033.
2. V.K.Fathima, aged 74 years, W/o Hameed @Abdul Hameed, Periyamkunnath House, Changanpuzha Nagar P.O, Puthupallipram Kara, Thrikkakara North Village, Kanayannoor Taluk, Ernakulam-682033.
3. Abdul Jaleel, aged 55 years, S/o Hameed @Abdul Hameed, Periyamkunnath House, Changanpuzha Nagar P.O, Puthupallipram Kara, Thrikkakara North Village, Kanayannoor Taluk, Ernakulam-682033.
4. Abdul Razak, aged 53 years, S/o Hameed @Abdul Hameed, Periyamkunnath House, Changanpuzha Nagar P.O, Puthupallipram Kara, Thrikkakara North Village, Kanayannoor Taluk, Ernakulam-682033.
5. Abdul Shukoor, aged 48 years, S/o Hameed @Abdul Hameed, Periyamkunnath House, Changanpuzha Nagar P.O, Puthupallipram Kara, Thrikkakara North Village, Kanayannoor Taluk, Ernakulam-682033.

This petition is filed under Order 43 Rule 2 r/w Order 41 Rule 5(1) and S.151 of the Code of Civil Procedure, 1908, praying this court to stay the operation of the direction to the appellant to pay the arrears of rent by 06.11.2025 passed by the trial court in I.A No.1/2025 in O.S No.910/2025, till the disposal of this Miscellaneous Appeal.

This petition is coming on for hearing before me on 07.11.2025 and the court on the same day passed the following:-

ORDER

Heard the learned Advocate for petitioner. He submits that the condition to deposit the rent is without considering the ratio in P.N Unnikrishnan v. K.X John Victor RCREV 109/2025 dated 23.08.2025.

Considering the submission, there shall be interim stay for the conditions to deposit the rent for August and September 2025 till the appearance of respondents in this appeal. It is made clear that except for the month of August and September 2025 the conditions of the grant of injunction made by the learned Munsiff will prevail. Issue notice to the respondents. Return of notice to 30.11.2025.

Pronounced by me in open court on this the 7th day of November, 2025.

Sd/-

V P M Suresh Babu
Addl. District Judge-VII
(I/c of District Judge)

sk/-
Comp.by:

I.A No.1 of 2025 in
C.M.A. No.90 of 2025
Order dated: 07.11.2025