

IN THE COURT OF THE RENT CONTROL, KANNUR.
Present: Sri. Manikandan C. K, Rent Control Court (Additional Munsiff)
Friday, the 3rd day of October, 2025, (11th Aswina,1947)

IA 01/2025 in RENT CONTROL PETITION No. 16 OF 2025

P M Musthafa, S/o C H Mahamood, aged 64 years,] Petitioner
Business, residing at P P House, Chirakkal amsom,]
Puzhathi Desom, PO. Chirakkal, Kannur- 670011.]

V/s.

Bhgyalakshmi K C, D/o Balakrishnan and W/o Vilas,] Respondent
Aged 41 years, residing at 'Lakshmi', Puthiyaparamba,]
Thekke Poothappara Road, Alavil amsom desom,]
PO. Alavil, Kannur 670011.

This Petition coming on the 22nd day of September, 2025 for hearing before me in the presence of S/Sri. M Jameel Ahmed and O G Rakhee Advocates for the petitioner; and of S/Sri. Abhilash N and Aswanth P T, Advocates for the respondent; and having stood over for consideration to this day; the Court passed the following:

ORDER

This petition is filed by the petitioner in RCP 16/2025 for passing an order of joint trial of this case with RCP 18/2025.

2. Notice is given to the respondent. Counsel for the respondent submitted that no counter in IA 1/2025. According to the petitioner, he is in bonafide need of the petition schedule building for accommodating his daughter-in-law's proposed business. Further contention of hte

petitioner is that his father has filed RCP 18/2025 against the respondent herein and RCP 14/2025 against her husband for vacating the building in the said cases for her business. Further contention of the petitioner is that the major part of the evidence to be adduced and documents to be relied in all the above two cases are same and the same dependent is to be examined in both cases. Further contention of the petitioner is that respondents in all the three cases have taken the building on lease for accommodating a single business. To save the precious time of the court and also to avoid conflicting decision, it is highly necessary to try both cases jointly.

3. Heard both sides.

4. Point for determination:-

Whether both the RCPs can be tried together?

5. **The Point**:- Petition for joint trial is filed at the instance of petitioner. No counter filed by the respondent. The dependents in both RCPs are one and the same. There is no question of any prejudice to respondent because joint trial will not absolve the liability of petitioner to prove the bona fide need put forth in the petitions and the aspects relating to the proviso. If petitioner wanted to get eviction, he has to prove his cases. All the defences which are available to respondent, if the cases are tried independently can be taken by respondent even if such cases are tried jointly. A close perusal of the records would go to

show that in both the petitions, respondents in RCP 16/2025 and RCP 18/2025 are one and the same. According to the petitioner, respondent in RCP 16/2025 and RCP 18/2025 is the wife of respondent in RCP 14/2025. In all three RCPs, eviction is sought under section 11 (3) of the Act. So, there is no bar in ordering joint trial of these cases considering the convenience of the parties and the time of the court. So, I am inclined to allow the petition.

In the result,

Petition is allowed as follows:

1. RCP 16/2025 and 18/2025 are ordered to be tried jointly.
2. Evidence will be recorded in RCP 14/2025.

(Dictated to the Confidential Assistant, transcribed and typed by her, corrected and pronounced by me in open court, this the 3rd day of October, 2025).

Sd/

RENT CONTROL COURT
(ADDITIONAL MUNSIFF)

Fair/Spare Copy of Order
in IA 01/2025 in
R.C.P.16/2025
Dated 03-10-2025

