

IN THE COURT OF THE RENT CONTROL APPELLATE AUTHORITY THRISSUR

Present:

Sri. P.P. Saidalavi., Rent Control Appellate Authority.

Tuesday, 29th day of July, 2025/ 7th Sravanam 1947 S.E

IA.01/2025 in R.C.A:78/2025

Petitioner/Appellant:-

Muthu Eranellur, Aged 64 years,
S/o Puzhangara Illath Kunjikhader,
Eranellur Village, Perumannu Desom,
Kechery P.O., Talappilly Taluk-680 501.

By Adv. K.Arunkumar Kaimal

Respondents:-

- 1 Barkathali, Aged 73 Years,
S/o Pokkakkillath Saithalikutti Haji,
Pokkakkillath House, Perakam Desom,
Pookkodu Amsom, Perakam P.O.,
Chavakkad Taluk-680 506.
- 2 C.C. Joffy, Aged 58 years, Room No. XIV/921,
Al Kabeer Biriyan Centre, Kechery Market,
Kechery P.O., Talappilly Taluk-680 501.

This petition is coming on this day for hearing, the Court passed the following:-

ORDER

This is a petition under Section 18(2) of the Kerala Buildings (Lease and Rent Control) Act, 1965.

2. The present appeal is filed by the tenant/respondent in R.C.P.23/2022 of Rent control Court, Wadakkanchery against an order passed

on 29.03.2025 under Section 11(3) and 11(4)(ii) of the Act. I have heard the learned counsel for the appellant/petitioner and perused the impugned order as well as the memorandum of appeal. Upon hearing the learned counsel for the petitioner and on perusing the impugned order as well as the memorandum of appeal at this stage *prima facie* I am satisfied that, there are good grounds to argue in appeal. Under such circumstances this court of the view that, if further proceedings on the basis of the impugned order is not stayed, that will detrimentally affect the interest of the appellant/petitioner. Moreover his appeal itself may become infructuous.

3. Therefore at this stage *prima facie* I am satisfied with the grounds mentioned in memorandum of appeal and the fact narrated in the present petition. Hence for the grounds mentioned in the affidavit filed along with the petition I found reasonable grounds to stay the operation of the impugned order. Hence stay granted as prayed for for a period of three months from today.

Issue notice to the respondents and call for LCR. Call on 22.09.2025.

(Pronounced in open court on this the 29th day of July, 2025).

Sd/-

**P.P. SAIDALAVI,
RENT CONTROL APPELLATE AUTHORITY.**

By Order,

Sheristadar

/true copy/