

IN THE COURT OF THE RENT CONTROL APPELLATE AUTHORITY, THRISSUR

Present:

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

Monday, 14th day of October, 2024/22nd Aswinam, 1946

I.A.1/2024 in R.C.A. 153/2024

Petitioner/ Appellant:-

C.R. Manikandan, aged 52 years, Business, S/o Rajan,
Residing at Chettipparan house, Post Blangad,
Blangad desom, Kadappuram Village,
Chavakkad Taluk, Thrissur District, Pin-680 506.

By Advs. Martin Paul & Sujith P.G.

Respondent:-

Rasheed, aged 59 years, S/o Aboobakker,
residing at Kalloor Arakkal house,
Muthuvattoor Post and desom, Guruvayur Village,
Chavakkad taluk, Thrissur District, Pin-680 506.

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.78/2023 of Rent control Court, Chavakkad against an order of eviction passed on 21.08.2024 under Section 12(3) 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 the petitioner is evicted from the petition schedule building during the pendency of the present appeal 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 impugned order. Hence stay granted as prayed for for a period of three months from today.

Issue notice to the respondent and call for LCR. Call on 12-12-2024.

(Pronounced in open court on this the 14th day of October, 2024).

sd/-

P.P. SAIDALAVI
RENT CONTROL APPELLATE AUTHORITY.

//True copy//

By order,

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Sheristadar