

IN THE COURT OF THE RENT CONTROL APPELLATE AUTHORITY, THRISSUR

Present:

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

Wednesday, 30th day of October, 2024/8th Karthikam, 1946

I.A.2/2024 in R.C.A. 170/2024

Petitioner/ Appellant:-

Thilakan, aged 59 years, S/o Thekkiniyedath Kittu,
Vadakkumuri Village and desom, Thrissur Taluk.

By Adv. Akthar Ahammed

Respondents:-

1. Thahira, aged 58 years,
W/o Mathilakath Veetil Chirakuzhi Kunjumammed,
Vadanappilly Amsom and P.O., Thrithallur Desom,
Chavakkad Taluk, Pin-680 614.
2. Shaniba, aged 35 years,
D/o Mathilakath Veetil Chirakuzhi Kunjumammed, -do-
3. Shajitha, aged 32 years,
D/o Mathilakath Veetil Chirakuzhi Kunjumammed, -do-

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 petitioner/appellant is the tenant before the rent control court. As per the impugned order dated 10.07.2024 the tenant is directed to pay the arrears of rent as ordered by the Rent Controller in I.A.2/2024 in R.C.P.127/2015. Aggrieved by

the impugned order the present appeal has been filed. It is contented that the impugned order is against the fact and circumstances of the case. The Rent Control Court failed to appreciate the facts in correct perspective.

3. I have heard the learned counsel for the appellant/petitioner and perused the impugned order and memorandum of appeal. At this stage *prima facie* I am satisfied with the grounds mentioned in the memorandum of appeal. Hence I found good grounds to argue in appeal. Therefore I am of the view that if the impugned order is not stayed and if further order is passed based on the same it may cause harm to the petitioner and the appeal will become infructuous. Hence for the reasons stated in the memorandum of appeal and the affidavit of the present petition there will be a stay of the operation of the impugned order dated 10.07.2024 in I.A.2/2024 in R.C.P.127/2015 of Rent Control Court, Chavakkad for a period of two months.

Issue notice to the respondent, call on 21.12.2024.

(Dictated to the Personal Assistant, transcribed by her, corrected by me and pronounced in open court on this the 30th day of October, 2024).

sd/-

P.P. SAIDALAVI

RENT CONTROL APPELLATE AUTHORITY.

By order,

//True copy//

Sheristadar

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