

IN THE RENT CONTROL COURT OF CHAVAKKAD
PRESENT:- Dr. Aswathy Asok., Rent Control Court (Munsiff)
Tuesday, the 17th day of March 2026/26th Phalgunam, 1947 SE

R.C.P 63/2025

Petitioner:-

Dr. A. P. Sathi, Aged 80 years, W/o. K. A. Kumar Singh, Now residing at Kazhunghil House, Muthuvatoor Desom, Chavakkad Taluk, PIN 680 506

(By Adv.Geofy George. P)

Respondent:-

Jayan, Aged about 43 years, S/o. Sankarankutty & Ammini, Karichayi House, Pathiyar Kulangara P. O, Parappur, Madhukkara, Chavakkad Taluk, Thrissur District, Kerala State, PIN 680 522 Now residing at Door No. 5/282 of Venkitangu Grama Panchayath, Mullassery P. O., Venkitangu Village, Chavakkad Taluk, Thrissur District, PIN 680 510.

(By Adv. K. P. Backer) (Ex parte)

This petition is coming on 16.03.2026 for hearing under Section 11(2) (b) & 11(3) of Kerala Buildings (Lease and Rent Control) Act, the court passed the following:-

ORDER

This is a petition u/s 11(2)(b) and 11(3) of Kerala Buildings (Lease and Rent control) Act, 1965 (hereinafter referred to as the Act).

2. **The petition averments in brief are as follows:-** The petitioner is a co-owner along with her son and daughter and is sufficiently entitled to the petition schedule building bearing no.5/283 of Venkitangu Grama Panchayat. The petition schedule building was let out to the respondent on a monthly rent

of Rs.7,000/- for a period of 9 months for residential purpose. The respondent had executed a rent agreement on 15.05.2023. In the rent agreement the building number was mentioned as 282 instead of 283. As per the stipulation in the agreement, if any default is made by the respondent in payment of the monthly rent the respondent is liable to pay interest @ 10% per annum. As security towards the lease agreement the respondent paid Rs.25,000/- to the petitioner on condition that the petitioner will repay the same without interest when the respondent vacating the petition schedule building. The respondent continuing in the petition schedule property after the stipulated period. The respondent had kept the rent in arrears from the month of July, 2023 on wards. Even after repeated demands made by the petitioner, the respondent had not paid the arrears of monthly rent. The respondent allowed migrant workers more than ten in numbers who are working under the respondent to reside in the petition schedule building without the knowledge or consent of the petitioner. The petitioner bonafide requires the petition schedule building for construction of two houses for her son and daughter who are the co-owners of the property. The petition schedule buildings bearing no.5/283 and 5/282 are situated in such a fashion that without demolishing the buildings no new construction is possible in the remaining property. For construction of the two residential house petitioner's children are depending on the petitioner. The petitioner and her children are having necessary financial capacity for constructing houses. No other building or property, suitable for above said purpose is in control or possession or ownership of petitioner or other co-

owners in the same City, Town or Village. The respondent is having other sources for income and there are other vacant rooms/building available in the locality for residential purpose. Therefore, the petitioner bonfide needs the petition schedule building for constructing two new houses for her children. On 19.06.2025 the petitioner sent a lawyer notice demanding the respondent to vacate the room and arrears of monthly rent. But the respondent has not vacate the room or paid any amount. Hence the petition.

3. The respondent entered appearance, but did not file any counter. Hence he was set ex-parte.

4. On the side of the petitioner, PW1 was examined and Exts.A1 to A4 were marked.

5. Heard the petitioner.

6. The unchallenged testimony of PW1 coupled with Exts.A1 to A4 documents proves the case of the petitioner. Hence, the petitioner is entitled to the relief sought for.

In the result the petition is allowed as follows:-

1. The respondent is directed to put the petitioner in vacant possession of the petition schedule building within one month from the date of this order under section 11 (2)(b) and 11(3) of the Kerala Buildings (Lease and Rent Control) Act,1965.
2. This order is subject to Section 11(2)(c) of the Act.

3. The respondent shall pay costs of the proceedings to the petitioner.

(Pronounced by me in Open Court this the 17th day March, 2026.)

Sd/-
Dr. Aswathy Asok
Rent Control Court
Munsiff, Chavakkad

APPENDIX:

Petitioner's Witness:-

PW1 21/02/2026 Dr. A. P. Sathi

Petitioner's Exhibits:-

A1 15/05/2023 Original Karar

A2 19/06/2025 Copy of Lawyer Notice

A3 20/06/2025 Postal Receipt

A4 Acknowledgment Kard

Other Witnesses & Exhibits:Nil

Id/-
Rent Control Court
Munsiff, Chavakkad

///True Copy///

kvp

Rent Control Court
Munsiff, Chavakkad

