

IN THE COURT OF THE RENT CONTROL OF TIRUR

PRESENT: Smt. SREEJA J, PRESIDING OFFICER (MUNSIFF).

Wednesday, the 17th day of January 2024
the 27th day of Pousha, 1945

INTERLOCUTORY APPLICATION NO. 05 of 2023
IN RENT CONTROL PETITION No. 25/2022

Between:

1. Prakashan, 63 years, S/o. Nallekkatt Padmanabhan Nair,
Kattiparuthi Amsom, Vaikkathur Desom, P.O.Valanchery,
Tirur Taluk, Valancheri Municipality.
 2. Latha Prakashan, 53 years, W/o. Prakashan,
Kattiparuthi Amsom, Vaikkathur Desom, P.O.Valanchery,
Tirur Taluk, Valancheri Municipality.
(Petition amended as per Order in IA 3/2023,
dated 17.01.24)
- } Petitioners

And:

Razak, 53 years, S/o. Kodiyil Muhammed Kutty,
Marakkara amsom, Pilathara desom, P.O. Kadampuzha,
Tirur Taluk, Pin. 676 553, Malappuram District.

} Respondent

This petition coming on this day for hearing before me in the presence of Sri. C. Nandakumar and Smt. Soumya.K.P., Advocates for petitioners and of Sri.Gopi Kadavath, Advocate for respondent and the court passed the following:

ORDER

This petition is filed under section 12 (1) of the Kerala Building (Lease and Rent Control) Act, 1965.

2. The petitioner herein is the landlord who filed the Rent Control Petition against the respondent under Section 11(2) and 11(3) of the Kerala Building (Lease and Rent Control) Act, 1965. The respondent filed counter and denying entire averments in the petition.

3. While so, the petitioner filed a petition as IA No.5/2023 under section 12 (1) of the Act seeking an order directing the respondent to pay admitted arrears of rent. The Court has directed the respondent to deposit the entire admitted arrears of rent within 4 weeks ie., on 14.11.2023. But the respondent did not remit or deposit the rent within the time even after sufficient time was granted. The case stands posted to 11.01.2024 for deposit as last chance. But, no deposit has been made so far. In these circumstances, this court is satisfied that the petitioner is entitled to get an order under Section 12(3) of the Act, as prayed for.

In the result,

- 1) The petition is allowed.
- 2) The respondent is directed to give vacant possession of the petition schedule shop rooms to the petitioner forthwith.

(Dictated to the Confidential Assistant, transcribed by her, corrected by me and pronounced by me in open court this the 17th day of January, 2024).

PRESIDING OFFICER (MUNSIFF),
RENT CONTROL COURT, TIRUR.

Typed by : Girija. V.
Compared by: 1) 2)

*Fair Order in IA.05/2023
in RCP 25/2022 Dated.17-01-2024.*
