



2025:KER:12402

R.C.Rev. No.20 of 2025

1

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MR.JUSTICE P. KRISHNA KUMAR

FRIDAY, THE 14TH DAY OF FEBRUARY 2025 / 25TH MAGHA, 1946

RCREV. NO. 20 OF 2025

**AGAINST THE JUDGMENT DATED 02.11.2024 IN RCA NO.152
OF 2023 OF ADDITIONAL DISTRICT COURT (ADHOC), KOZHIKODE
ARISING OUT OF THE ORDER DATED 11.08.2022 IN I.A.
NO.1/2022 IN RCP NO.12 OF 2020 OF PRINCIPAL MUNSIF COURT,
KOZHIKODE-II**

REVISION PETITIONER/APELLANT IN RCA/RESPONDENT IN

I.A./RESPONDENT IN RCP:

**UTHAJARAKAM FAIZAL, AGED 48 YEARS, S/O P.S.
MUHAMMED YOUSUF, RESIDING AT 9/91 HOUSE, SILK
STREET, NAGARAM AMSOM DESOM KOZHIKODE TALUK,
KOZHIKODE 673 001, REPRESENTED BY POWER OF
ATTORNEY HOLDER P.S. MUHAMMED YOUSUF, S/O.
SULAIMAN, AGED 72 YEARS, NAGARAM AMSOM DESOM
KOZHIKODE TALUK, KOZHIKODE, PIN - 673 001**

**BY ADVS.
R.SUDHISH
M.MANJU**

**RESPONDENT/RESPONDENT IN RCA/PETITIONER IN I.A/RESPONDENT
IN RCP:**



2025:KER:12402

R.C.Rev. No.20 of 2025

2

MOIDEEN VEETTIL ARIFA, AGED 54 YEARS, W/O P.M.
ANSARI, 20/154 B, PANNIYANKARA AMSOM DESOM
KOZHIKODE TALUK, REPRESENTED BY POWER OF
ATTORNEY HOLDER MOIDEEN VEETTIL, ALTHAF AHAMMED,
S/O UMMERKOYA, AGED 54 YEARS, ARIFA BHAVAN,
PANNIYANKARA AMSOM DESOM KOZHIKODE TALUK,
KOZHIKODE, PIN - 673 003

BY ADV M.SHAJNA

THIS RENT CONTROL REVISION HAVING COME UP FOR
ADMISSION ON 14.02.2025, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:



2025:KER:12402

R.C.Rev. No.20 of 2025

3

ORDER

A. Muhamed Mustaque, J.

The tenant has come up with this revision petition challenging an order under Section 12(3) of the Kerala Buildings (Lease and Rent Control) Act, 1965 (for short "the Act"). It is to be noted that the landlord preferred the rent control petition only on the ground of arrears of rent under Section 11(2)(b) of the Act.

It seems that the tenant has paid a sum of Rs.3,17,500/-. But still there exists arrears. Therefore, we are of the view that an opportunity should be given to the tenant to clear the entire arrears of rent, including the rent of February 2025, by four weeks. If no arrears are paid, the Rent Control Court can pass fresh orders under Section 12(3) of the Act.

This Rent Control Revision is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE

JUDGE

Sd/-

P. KRISHNA KUMAR

JUDGE

PR