

BEFORE THE RENT CONTROL COURT (MUNSIFF) TALIPARAMBA

Present: Sri. Santhosh. K. Venu., B.A., LL. B., Rent Control Court (Munsiff)

Wednesday, the 28th day of February, 2018

(9th Phalguna, 1939)

RENT CONTROL PETITION NO. 20 OF 2014

Kuttukntakath Arifa, D/o Chappantakath Abdulla, No)
Occupation, 43 years, Near Co-Operative Hospital,) Petitioner
Taliparamba Amsom Desom, Taliparamba Taluk, (P.O))
Taliparamba.)

Vs.

Varambu Muriyan Sainaba, W/o Malikkantakath)
AbduSalam, No Occupation, 57 years, Aadikumpara,) Respondent
Taliparamba Amsom Desom, Taliparamba Taluk,)
(P.O)Taliparamba.)

Petition filed Under Section 11(2), 11(3) and 11 (4)(V) of the Kerala
Buildings (Lease and Rent Control) Act.

Court Fee paid Rs. 102/- only.

This Petition coming on this day for hearing before me in the presence
Sri. K. Ummer, Advocate for petitioner; respondent being called absent, set
exparte and the Court passed the following:

ORDER

Petition filed under Sections 11(2), 11(3) and 11(4)(V) of the Kerala Buildings
(Lease and Rent Control) Act.

2. The respondent is called absent and set ex parte.

3. PW1 filed in proved affidavit in lieu of examination in chief and Exts.

A1 to A3 were marked on the side of the petitioner.

4. Heard.

5. PW1 is the petitioner he filed affidavit in lieu of examination in chief and Exts. A1 and A3 marked on the side of the petitioner. There was no cross examination and hence the evidence adduced on the side of the petitioner stands unchallenged. Petition averments are therefore proved. Hence, I find the petitioner is entitled to get a decree as prayed for.

In the result, the suit is allowed and the respondent is directed to give vacant possession of the petition schedule property to the petitioner within one month of this order failing which the petitioner is at liberty to get the vacant possession of the petition schedule property through the process of the Court fee and to recover the expenses from the respondent. No cost.

(Dictated to the Confidential Assistant transcribed by her, corrected and pronounced by me in open court this the 28th day of February, 2018.)

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Petitioner's Exhibits:-

A1	07-06-2008	Rent Kachit executed by Varambu Muriyan Sainaba in favour of Kuttukkntakath Arifa
A2	11-05-2016	Lawyer Notice issued by K. Ummer, Advocate to Varambu Muriyan Sainaba.
A2(a)	18-05-2016	Postat Receipt
A2(b)	19-05-2016	Acknowledgement
A3	31-05-2016	Reply Notice issued by P.V.Aseen, Advocate to K. Ummer, Advocate.

Petitioner's Witness:-

PW1: Sri. Kuttukkantakath Ibrahim Khaleel
(Affidavit in lieu of chief examination)

Respondents Exhibits and Witness:- : NIL

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rcr/-

Fair/Spare Order in RCP. 1/18
dated 28-02-2018.