

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN  
&  
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

MONDAY, THE 30TH JUNE 2008 / 9TH ASHADHA 1930

WP(C).No. 18262 of 2008(Y)

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RCA.47/2008 of DISTRICT COURT, THALASSERY  
RCP.67/2006 of MUNSIFF COURT, THALASSERY  
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PETITIONER:

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C.MUHAMMED, S/O.ABOOBACKER, AGED 46  
YEARS, FIVE STAR HOME APPLIANCES,  
CHAKKARAKKAL, MOWANCHERY P.O.,  
KANNUR TALUK.

BY ADV. SRI.JACOB SEBASTIAN

RESPONDENTS:

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THEEYENEMKANDY MOHAMOOD, S/O.ABDULLA,  
AGED 46 YEARS, BUSINESS, RESIDING AT  
ANJARAKANDY AMSOM, MAMBA DESOM, KANNUR TALUK.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 30/06/2008, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:

**P . R . RAMAN &  
T . R . RAMACHANDRAN NAIR, JJ .**

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**W . P . (C) NO . 18262 OF 2008**  
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**Dated this the 30<sup>th</sup> day of June, 2008**

**JUDGMENT**

**Raman, J.**

Tenant is the revision petitioner. Landlord has sought for eviction on various grounds. The Rent Control Court ultimately passed an order of eviction. Tenant has preferred an appeal. Since the appeal was not filed in time, a petition for condonation of delay was also filed. He has also filed an application for stay of execution of the order of eviction. His grievance is that no orders are passed in those applications and the execution is proceeded with. Therefore urgent orders are required. We issued notice before admission and granted interim stay of taking delivery till 30/6/2008, since the application for condonation of delay and the stay petition were posted on 27/6/2008. Respondent has already entered appearance.

2. We have heard both sides.

3. It is submitted that on 27/6/2008 the matter stood adjourned

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for filing counter by the respondent and now the matter is posted to 7/7/2008. In the circumstances, the interim stay granted by this Court is extended till 7/7/2008 on which day the court below will pass appropriate orders on both the delay petition and if the delay is condoned, on the stay petition also.

Subject to the above, this Writ Petition is disposed of.

Issue copy of the judgment today itself.

**P . R . RAMAN ,**  
**Judge .**

**T . R . RAMACHANDRAN NAIR ,**  
**Judge .**

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