

(2011) 05 KL CK 0099
In the High Court Of Kerala
Case No : OP (RC) No. 1692 of 2011 (O)

B. Ravikumaran Pillai

APPELLANT

Vs

Malik Mohammed, Sayed Mohammed Basheer and Anilkumar Pillai

RESPONDENT

Date of Decision : 31-05-2011

Acts Referred:

Constitution of India, 1950 — Article 227

Citation : (2011) 05 KL CK 0099

Hon'ble Judges : Pius C. Kuriakose, J;N.K. Balakrishnan, J

Bench : Division Bench

Advocate : Pratheesh P, for the Appellant; George Varghese, for the Respondent

Judgement

Pius C. Kuriakose, J.—This original petition under Article 227 of the Constitution has been filed by the tenant who was evicted from a building pursuant to order of eviction passed u/s 11(4)(iv) seeking re-induction in terms of the third proviso to Section 11(4)(iv). Sri. P. Pratheesh, learned Counsel for the Petitioner submits that his client filed IA. 508 of 2011 on 27-1-2011 and the Respondent landlord filed counter to that I.A. upon receiving notice. Mr. Pratheesh is unable to tell us when exactly the counter was filed. We assume that the counter was filed in March 2011. Ext.P3 is the order passed by the Rent Control Court in an application filed by the Petitioner seeking advancement of the hearing of I.A. Under Ext.P3, the application was dismissed observing that the I.A. stands already posted to 4-6-2011. We do not find any justification for the tenant to invoke the visitorial jurisdiction of this Court seeking for direction relating to expeditious disposal of I.A. 508/11. The above I.A. stands posted to 4-6-2011. In the above I.A. an enquiry will have to be conducted by the Rent Control Court. We are sure that the Rent Control Court will dispose of the above I.A. after holding all necessary enquiries in accordance with law at the earliest.