

Pavithran vs Phalgunan

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SooperKanoon Citation : sooperkanoon.com/1294727

Court : Kerala Orders

Decided On : Mar-18-2024

Judge : Honourable Mr. Justice a. Badharudeen

Appeal No. : RSA/18/2015

Appellant : Pavithran

Respondent : Phalgunan

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE A. BADHARUDEEN
MONDAY, THE 18TH DAY OF MARCH 2024 / 28TH PHALGUNA, 1945
RSA NO. 18 OF 2015 AGAINST THE DECREE AND JUDGMENT
DATED 03.09.2014 IN AS NO.46 OF 2009 OF SUB COURT,
CHERTHALA ARISING OUT OF THE DECREE AND JUDGMENT
DATED 28.02.2009 IN OS NO.145 OF 2006 OF PRINCIPAL MUNSIFF
COURT, CHERTHALA APPELLANT/APPELLANT/PLAINTIFF:

1 PAVITHRAN S/O.GOVINDAN, SYAMALALAYAM, FROM
KANNAMKERRY PADINJARE NIKARTHIL, ERAMALLOOR MURI,
EZHUPUNNA VILLAGE, PIN - 688 537. 2 ADDL.SAM PAVITHRAN,

S/O.V.G.PAVITHRAN,AGED

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YEARS,DRIVER,SNEHAVEEDU,ERAMALLOOR P.O., EZHUPUNNA VILLAGE, CHERTHALA TALUK,PIN - 688 537. (ADDL.APPELLANT 2 IS IMPLEADED AS PER ORDER DATED 24.11.2022 IN IA.3/2019.) SRI.M.P.RAMNATH SRI.BEPIN PAUL SRI.P.RAJESH KOTTAKKAL SRI.SHALU VARGHESE SMT.S.SANDHYA SMT.UMA R.KAMATH SEI.M.VARGHESE VARGHESE

RESPONDENTS/RESPONDENTS/DEFENDANTS: 1 PHALGUNAN S/O.THANKAPPAN, SURYAVANDANAM VEEDU, ERAMALLOOR MURI, 2 SUDHAKARAN S/O.THANKAPPAN, PULUTHOTTU VEETIL, ERAMALLOOR MURI, SRI.V.L.SHENOY SRI.A.K.ALEX THIS REGULAR SECOND APPEAL HAVING COME UP FOR ADMISSION ON 18.03.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: - 2 -

J U D G M E N T

In this case, both sides submitted that the matter is settled. It is submitted by the learned counsel for the appellant that the appellant has filed IA 1 of 2024 seeking permission to withdraw the suit and the appeal, in view of the settlement. The learned counsel for respondent also did not oppose the said prayer, in view of the settlement. Therefore, in view of the settlement, the suit and this appeal stands withdrawn, without liberty to file fresh suit. Sd/- A. BADHARUDEEN JUDGE SM - 3 - APPENDIX OF RSA 18/2015 PETITIONER ANNEXURES Annexure A1 CERTIFIED COPY FROM REGISTRAR'S OFFICE OF SALE DEED NO.660/1980 SRO KUTHIYATHODE DT 22.02.1980 EXECUTED TO KOCHUKUNJI TO PAVITHRAN Annexure A2 CERTIFIED COPY FROM REGISTRAR'S OFFICE OF SALE DEED NO.954/1983 SRO KUTHIYATHODE DT 14.04.1983 EXECUTED BY SANKARAN S/O KOCHERUKKAN, IN FAVOUR OF PAVITHRAN