

Lekha Panicker vs Padma Panicker

Lekha Panicker vs Padma Panicker

SooperKanoon Citation : sooperkanoon.com/1301434

Court : Kerala

Decided On : Oct-09-2024

Judge : Honourable Mr. Justice M.a.Abdul Hakhim

Appeal No. : RSA/661/2022

Appellant : Lekha Panicker

Respondent : Padma Panicker

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE A. BADHARUDEEN
THURSDAY, THE 18TH DAY OF JANUARY 2024 / 28TH POUSHA,
1945 RSA NO. 661 OF 2022 AGAINST THE DECREE AND JUDGMENT
DATED 18.06.2022 IN A.S.NO.37/2020 ON THE FILES OF THE COURT
OF THE SUB JUDGE, PALA AROSE FROM THE DECREE AND
JUDGMENT DATED 17.02.2020 IN O.S.NO.195/2016 ON THE FILES
OF THE MUNSIFF COURT, KANJIRAPPALLY
APPELLANTS/APPELLANTS/DEFENDANTS:

1 LEKHA PANICKER D/O VISWANADHA PANICKER, AGED 61,
MATTAKKATTAYA MOOZHICKAL HOUSE, CHENAPPADI KARA,

ERUMELI SOUTH VILLAGE, NOW RESIDING AT VRINDAVANAM, KARUKACHAL P.O., 686540. 2 M R. RAMACHANDRALAL, S/O RAMAKRISHNAN NAIR, AGED 91, MATTAKKATTAYA VILLAGE, NOW RESIDING AT 'DEEPA' TC15/117, KRISHNAVILASAM ROAD, JAGATHI, THIRUVANANTHAPURAM-695014. 3 M C LEELABHAI, D/O RAMAKRISHNAN NAIR, AGED 88, MATTAKKATTAYA VILLAGE, NOW RESIDING AT ASWATHY HOUSE, NO.5, COTTONHILL, VAZHUTHAKKADU, THIRUVANANTHAPURAM PIN-695014 . 4 M C RADHA BHAI, AGED 86, D/O RAMAKRISHNAN NAIR, MATTAKKATTAYA VILLAGE, NOW RESIDING AT ARADHAN, KARAPUZHA P.O, KOTTAYAM-686003. 5 MC INDIRA BHAI, AGED 84, D/O RAMAKRISHNAN NAIR, MATTAKKATTAYA VILLAGE, NOW RESIDING AT SOUBHAGYAM, KOTTA P.O, KARAKKATTU(VIA) PATHANAMTHITTA. PIN- 689504. 6 DR. M R RAJENDRAPRASAD, AGED 82, S/O RAMAKRISHNAN NAIR, MATTAKKATTAYAMOOZHICKAL HOUSE, CHENAPPADI KARA, ERUMELI SOUTH VILLAGE, NOW RESIDING AT 'PUSHPANJALI', KARAPUZHA P.O, KOTTAYAM PIN-686003.

7 M R SASIKUMAR, AGED 74, S/O RAMAKRISHNAN NAIR, ERUMELI SOUTH VILLAGE, NOW RESIDING AT 'SAISREE', KARAPUZHA P.O, KOTTAYAM PIN-686003. 8 PRAVEEN PANICKER, AGED 52, S/O VISWANADHAPANICKER, ERUMELI SOUTH VILLAGE, NOW RESIDING AT VRINDAVANAM, KARUKACHAL POST PIN-686540. BY ADV VIDHYA. A.C
RESPONDENTS/RESPONDENTS/PLAINTIFFS:

1 PADMA PANICKER AGED 79, W/O RAVEENDRANATHAPANICKER, B-6. TC NO.15/1005(3), TAGORE NAGAR, VAZHUTHAKKADU, THIRUVANANTHAPURAM DIST, PIN-695014 FROM SREEBHAVANAM HOUSE, NEDUMKUNNAM KARA, NEDUMKUNNAM VILLAGE, CHANGANACHERRY TALUK-14. 2 SANDEEP R PANICKER, AGED 53, S/O PADMA PANICKER, B-6. TC NO.15/1005(3), TAGORE NAGAR,

VAZHUTHAKKADU, THIRUVANANTHAPURAM DIST REP.BY POWER OF ATTORNEY HOLDER &AGENT, PADMA PANICKER. PIN-695014. 3 SREEDEEP PANICKER, AGED 50, S/O PADMA PANICKER, B-6.T C NO.15/1005(3), TAGORE NAGAR, VAZHUTHAKKADU, THIRUVANANTHAPURAM DIST-695014. R1-BY ADVS. NARENDRA KUMAR M HARSHADEV M.(K/1106/2013)

THIS REGULAR SECOND APPEAL HAVING COME UP FOR ADMISSION ON 18.01.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

Dated this the 18th day of January, 2024 This regular second appeal has been filed under

order XLII Rule 1 read with Section 100 of the Code of Civil

Procedure challenging the decree and judgment in A.S. No.37 of 2020 dated 18.06.2022 on the files of the Court of the Sub Judge, Pala arose from the decree and judgment in O.S. No.195 of 2016 dated 17.02.2020 on the files of the Munsiff Court, Kanjirappally.

2. No representation for appellants.

3. The learned counsel for the respondents seeks emergent hearing of this matter, since proceedings in final decree are being stalled because of the pendency of this appeal.

4. Since the learned counsel for the appellants is

not intended to proceed with the matter, this regular second appeal stands dismissed for non prosecution. All interlocutory applications pending in this regular second appeal stand dismissed. Sd/- A. BADHARUDEEN SK JUDGE

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com