

Jayan vs Vanajakshy

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Court : Kerala Orders

Decided On : Apr-05-2023

Judge : Honourable Mrs. Justice M.R.Anitha

Appeal No. : RSA/8/2023

Appellant : JAYAN

Respondent : Vanajakshy

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MRS. JUSTICE M.R.ANITHA
WEDNESDAY, THE 5TH DAY OF APRIL 2023 / 15TH CHAITHRA, 1945
RSA NO. 8 OF 2023 AGAINST THE JUDGMENT AND DECREE DATED
09.11.2016 IN A.S. NO.510/2015 OF ADDITIONAL DISTRICT COURT-
II, THIRUVANANTHAPURAM AGAINST THE JUDGMENT AND
DECREE DATED 25.08.2009 IN I.A. NO.2148/2006 IN O.S. NO.1/1998
F.D. OF MUNSIF COURT, ATTINGAL APPELLANT/APPELLANT/5TH
COUNTER PETITIONER/5TH DEFENDANT: JAYAN AGED 50 YEARS
S/O RAJAN, KUNNUVARATHU, THULIKKODU, PULIMATHU PO,
R.UMASANKAR P.ARUN KUMAR (MONCOMPU)
RESPONDENTS/RESPONDENTS/PETITIONER & COUNTER

PETITIONER 1 TO 4/FIRST DEFENDANT, PLAINTIFF AND DEFENDANTS 2 TO 4: 1 VANAIAKSHY 2 SATHYA BHAMA 3 SOUDAMINI D/O NARAYANAN, SADANANDATHIL, PULIMATH PO, 4 SABU S/O LATE SADANANDAN, SADANANDATHIL, PULIMATH PO, 5 SAJITHA D/O LATE SADANANDAN, SADANANDATHIL, PULIMATH PO, LIJU MP - R1 REVATHI R. KURUP(K/1866/2019) - R1 THIS REGULAR SECOND APPEAL HAVING COME UP FOR ADMISSION ON 05.04.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: RSA No.8 of 2023

JUDGMENT

Dated this the 05th day of April, 2023 This appeal has been filed against the judgment and decree in A.S. No.510/2015 on the file of Additional District Court-II, Thiruvananthapuram which in turn arouse out the

judgment and decree in I.A. No.2148/2006 in O.S. No.1/1998

F.D. on the file of the Munsiff's Court, Attingal.

2. When the case was taken up, the learned counsel

for the appellant submitted that a memo has been filed to the effect that the appellant is not interested to prosecute the above appeal further as the pendency of this appeal is a hindrance to surrender the property in question to authorities for the construction of a ring road. Hence, he seeks to dismiss the appeal as not pressed. Memo recorded. Accordingly, appeal is dismissed as not pressed. All pending I.As are closed. Sd/- M.R.ANITHA JUDGE SMF

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