

Valsala Menon vs George Mathai

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Court : Kerala

Decided On : Nov-14-2023

Judge : Honourable Mr. Justice P.V.Kunhikrishnan

Appeal No. : Crl.MC/4866/2015

Appellant : Valsala Menon

Respondent : George Mathai

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN TUESDAY, THE 14TH DAY OF NOVEMBER 2023 / 23RD KARTHIKA, 1945 CRL.MC NO. 4866 OF 2015 AGAINST THE ORDER/JUDGMENT CMP 520/2015 OF CHIEF JUDICIAL MAGISTRATE PALAKKAD OS 734/2012 OF SUBORDINATE COURT, PALAKKAD PETITIONERS:

1 VALSALA MENON AGED 66 YEARS D/O. LATE M.KRISHNAN UNNI NAIR, PERUR NAIR HOUSE, PERUR POST, PATHIRIPALA, OTTAPALAM TALUK, PALAKKAD DISTRICT. 2 M.GEETHA NAIR (RETD PROFESSOR, DEPT. OF ENGLISH) VICTORIA COLLEGE, D/O. LATE M.KRISHNAN UNNI NAIR, RESIDING AT CITADEL,

SEKHARIPURAM, PALAKKAD TALUK, PALAKKAD DISTRICT. 3 USHA M.NAIR (RETD PROFESSOR DEPT, OF ENGLISH), VICTORIA COLLEGE, PALAKKAD, D/O. LATE M.KRISHNAN UNNI NAIR, RESIDING AT CITADEL, SEKHARIPURAM, PALAKKAD TALUK, PALAKKAD DISTRICT. 4 MAYA JAGAN SENIOR TEAVHER ENGLISH, CHINMAYA VIDYALAYA, VADUTHALA, D/O. LATE M.KRISHNAN UNNI NAIR, RESIDING AT B8/5B TRIPTHI LANE, PANAMPILLY NAGAR, ERNAKULAM 682016. 5 RUGMANI D/O. LATE M.KRISHNAN UNNI NAIR, 27/2779A, VRINDA NAGAR, ERNAKULAM-682011. 6 SULOCHANA NETHIYAR W/O. LATE KRISHNAN UNNI NAIR, PERUR NAIR HOUSE, PERUR POST, PATHIRIPALA, OTTAPALAM TALUK, PALAKKAD DISTRICT. BY ADVS. SRI.H.BADARUDDIN SMT.LAYA SIMON

RESPONDENTS: 1 GEORGE MATHAI S/O.MATHEW KEERIKAD (H), ECHANKULAM, VADAKKANChERI, PALAKKAD DISTRICT 678 683. 2 SOMASUNDARAM KEERAPPAI S/O.KRISHNAN, KEERIPAI HOUSE, KUTANELLUR POST, THRISSUR 680 014. CRL.MC NO. 4866 OF 2015 2 3 STATE OF KERALA REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM 682 031. BY ADVS. SRI.BABU CHERUKARA T.R.RENJITH PP THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 14.11.2023, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: CRL.MC NO. 4866 OF 2015 3

P.V.KUNHIKRISHNAN, J.

----- Crl.M.C. No.4866 of 2015
----- Dated this the 14th day of November, 2023

ORDER

When this Crl.M.C came up for consideration, this Court directed the Registry to get a report from the Chief Judicial First Class Magistrate Court, Palakkad and find out whether Annexure-X complaint is still pending. A report is submitted by the

Chief Judicial First Class Magistrate Court, Palakkad. It is better to extract the same:- In obedience to the reference cited, I may humbly report that the Annexure-X Complaint, CMP 520/2015 on the file of this Court, mentioned in the reference was dismissed by this Court as per order dated 05.07.2016, finding that there was no sufficient ground for proceeding against the accused. So, the Annexure Complaint, CMP 520/2015 mentioned in the Crl. MC No. CRL.MC NO. 4866 OF 2015 4 pending before this Court. I humbly request that the report may kindly be accepted. In the light of the same, nothing survives in this case. This Criminal Miscellaneous Case is closed. Sd/- P.V.KUNHIKRISHNAN JUDGE ska CRL.MC NO. 4866 OF 2015 5 APPENDIX OF CRL.MC 4866/2015 PETITIONER EXHIBITS

A1: TRUE COPY OF THE FAMILY SETTLEMENT DEED BEARING NO: 179/IV/2012 OF SRO AII: TRUE COPY OF THE ORDER OF THOSE APPEALS BEFORE THE APPELLATE AUTHORITY THRISSUR IN AA 100/1998. AII(A):TRUE COPY OF THE ORDER OF THOSE APPEALS BEFORE THE APPELLATE AUTHORITY THRISSUR IN AA 101/1998. AII(B):TRUE COPY OF THE ORDER OF THOSE APPEALS BEFORE THE APPELLATE AUTHORITY THRISSUR IN AA 102/1998. AII(C): THE ORDER OF THOSE APPEALS BEFORE THE APPELLATE AUTHORITY THRISSUR IN AA.103/1998 AII(D); TRUE COPY OF THE ORDER OF THOSE APPEALS BEFORE THE APPELLATE AUTHORITY THRISSUR IN AA.104/1998 AII(E); THE ORDER OF THOSE APPEALS BEFORE THE APPELLATE AUTHORITY THRISSUR IN AA.105/1998. AIII: TRUE COPY OF TYPICAL NOTES OF ARGUMENTS THAT FILED BY THE PETITIONERS IN (S.M.179/1985 OF OTTAPALAM LAND TRIBUNAL NO.III) AIV: TRUE COPY OF THE ORDER OF THE HON'BLE SUPREME COURT OF INDIA IN SLP (CIVIL) 1497/2001-D (CIVIL APPEAL NO:) 2932/2012. AV: TRUE COPY OF THE PLAINT IN OS.734/2012 OF SUB COURT PALAKKAD AVI: TRUE COPY OF THE PLAINT IN OS 774/2012 OF SUB COURT, PALAKKAD PVII: TRUE COPY OF THE PLAINT IN OS 230/2013 BEFORE THE SUB COURT, PALAKKAD AVIII: TRUE COPY OF THE

NOTICE AIX: TRUE COPY OF THE POSTAL RECEIPT AND
ACKNOWLEDGMENT AX: TRUE COPY OF THE CRIMINAL
COMPLAINT BEARING NO.CMP.520/2015 THAT FILED BY THE
RESPONDENTS AGAINST THE PETITIONERS BEFORE THE COURT
OF CJM PALAKKAD

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