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Mathal Joseph vs State of Kerala and Others

Mathal Joseph vs State of Kerala and Others

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Court : Kerala Orders

Decided On : Jan-17-2023

Judge : Honourable Mr.Justice K.Vinod Chandran,Honourable Mr.Justice C. Jayachandran

Appeal No. : MFA (FOREST)/90/2011

Appellant : Mathal Joseph

Respondent : State of Kerala and Others

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN & THE HONOURABLE MR.JUSTICE C. JAYACHANDRAN TUESDAY, THE 17TH DAY OF JANUARY 2023 / 27TH POUSHA, 1944 MFA (FOREST) NO. 90 OF 2011 AGAINST THE ORDER IN O.A.16/1998 OF FOREST TRIBUNAL, KOZHIKODE APPELLANT/APPLICANT: MATHAI JOSEPH, S/O.MATHAI, PALLATHU HOUSE, ADIMALY.P.O, DEVIKULAM TALUK, IDUKKI DISTRICT. BY ADVS. SRI.MATHEW JOHN (K) SRI.DOMSON J.VATTAKUZHY RESPONDENTS/RESPONDENTS:

1 STATE OF KERALA AND OTHERS, REP.BY SECRETARY, TRIVANDRUM,PIN-695001. 2 THE CUSTODIAN (SPECIAL OFFICER AND CHAIRMAN), NATIONALISED FORESTS,VESTED FOREST, COMMITTEE, CALICUT-673017. 3 K.M.S.SUBRAHMANIAN CHETTIAR S/O.SANYASI CHETTIAR, RESIDING AT BODINAIKANNUR, UTHAMAPALAYAM TALUK, MADURAI DISTRICT, TAMILNADU, PIN- 4 GOPALAKRISHNAN, S/O.CHURULINATHAN TALUK, MADURAI DISTRICT, TAMILNADU.---(DELETED), PIN- 5 BHOOMINATHAN, S/O.NARAYANASWAMI CHETTIAR DISTRICT, TAMILNADU,PIN-788030. 6 SIVASUBRAHMANIAN CHETTIAR S/O.MALLAYYAN CHETTIAR, RESIDING AT BODINAIAKANNUR,, UTHUMAPALAYAM TALUK, MADURAI DISTRICT,TAMILNADU., --- (DELETED), PIN-788030.

7 GANESAN, S/O.MALLAYYAN CHETTIAR RESIDING AT BODINAIKANNUR, UTHUMAPALAYAM TALUK, MADURAI

DISTRICT, TAMILNADU. ---(DELETED), PIN-788030. 8 SETHUNATHAN, S/O.SANYASI CHETTIAR DISTRICT, TAMILNADU.---(DELETED),, PIN-788030. 9 KARTHIKEYAN, S/O.K.M.S.SUBRAMANIAN TALUK, MADURAI DISTRICT, TAMILNADU,PIN-788030. 10 SRINIVASAN, S/O.K.M.S.SUBRAMANIAN CHETTIAR, RESIDING BODINAIKANNUR, UTHAMAPALAYAM, TALUK, MADURAI DISTRICT, TAMILNADU, PIN-788030. (RESPONDENT NOS.9 & 10 AR LEGAL HEIRS OF 3RD, RESPONDENT K.M.S.SUBRAHMANIAN CHETTIAR). BY ADV SRI.NAGARAJ NARAYANAN, SPL. G.P. FOR FOREST

THIS MFA (FOREST) HAVING COME UP FOR ADMISSION ON 17.01.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: K.VINOD CHANDRAN & C.JAYACHANDRAN, JJ ---------- M.F.A[F] No.90 of 2011 ---------- Dated this the 17th day of January, 2023

J U D G M E N T

K.Vinod Chandran, J Adv.Mathew John, learned counsel for the appellant submits that the vakkalath was relinquished about six years back and the appellant has taken back the files. In such circumstances, there is no appearance for the appellant. Nor is the appellant present in Court. Hence, we dismiss the appeal for non-prosecution. K.VINOD CHANDRAN C.JAYACHANDRAN Sbna/

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