

Savithri vs Sankarankutty

Savithri vs Sankarankutty

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Court : Kerala Orders

Decided On : Jul-31-2023

Judge : Honourable Mr. Justice Sathish Ninan

Appeal No. : RFA/29/2011

Appellant : Savithri

Respondent : Sankarankutty

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE SATHISH NINAN
MONDAY, THE 31ST DAY OF JULY 2023 / 9TH SRAVANA, 1945
AGAINST THE JUDGMENT AND DECREE IN OS 729/2005 OF
PRINCIPAL SUB COURT, THRISSUR. APPELLANT/DEFENDANT
NO.18: *1 SAVITHIRI (DIED), W/O KOTOKKY RAMAKRISHNAN,
KODOKEY HOUSE, VIYYUR VILLAGE, THRISSUR. REPRESENTED
BY POWER OF ATTORNEY HOLDER. ***** IT IS RECORDED THAT
THE APPELLANT IS REPRESENTED BY THE POWER OF ATTORNEY
HOLDER K.V.RAMKRISHNAN, KODOKI HOUSE, VIYYUR VILLAGE,
VIYYUR DESOM, THRISSUR- 680 010. VIDE ORDER DATED 30-01-
2020 IN MEMO DATED 30-07- *****ADDL.A2

K.V.RAMKRISHNAN,KODOKI HOUSE, VIYYUR VILLAGE, VIYYUR
DESOM, THRISSUR- 680 010. *****ADDL.A3 K.V.VISHNU, S/O
K.V.RAMKRISHNAN, AGED 44 YEARS, KODOKI HOUSE, P.O
VIYYUR, THRISSUR - 680 010. ***** THE LEGAL HEIRS OF
DECEASED I APPELLANT ARE IMPEADED IN THE PARTY ARRAY
AS ADDITIONAL 3RD APPELLANT AND ADDITIONAL RESPONDENT
39 AND 40, VIDE ORDER DATED 31-07-2023 IN I.A NO.2 OF 2020. BY
ADV.SRI.G.UNNIKRISHNAN. RESPONDENTS/PLAINTIFFS,

DEFENDANTS 1 TO 8, 10 TO 17 (DEFENDANT NO.9 DIED ON 9-5-
2007 AND HENCE NOT MADE PARTY IN THE APPEAL) : 1
SANKARANKUTTY, VELIYANNUR VEEDU, POONKUNNAM,
THRISSUR - 680 001. *2 AYYAPPAN (DIED) -DO- -DO- . * ADDL.R25
TO R27 IMPEADED. 3 UNNIKRISHNAN, -DO- -DO- 4
SUBRAMANIAN, -DO- -DO- -: 2 :- **5 ASOKAN, -DO- -DO- (DIED)

**ADDL.R28 TO R30 IMPEADED. 6 USHA, -DO- -DO- 7 CHANDRAN, -
DO- -DO- 8 GIRIJA, -DO- -DO- 9 KARTHIYAYANI, CHITTILAPPILLY
VEETIL, CHITTILAPPILLY VILLAGE, DESOM, THRISSUR TALUK, 680
010. 10 RADHA, W/O K.K.KRISHNAN, PATHAN QUARTERS
NO.72,ANGADIPURAM VILLAGE, DESOM,MALAPPURAM TALUK 676
535. 11 SARASWATHY, VADAKKUMPURAMVEETIL, ARIMBUR
VILLAGE, DESOM, THRISSUR TALUK 680 620. 12 RAJA,
DEVELOPMENT AUTO GARAGE, THANE, MUMBAI 400 001. 13
K.K.BABY, PANAMUCK KARUVANVEETIL NEDUPUZHA
VILLAGE,DESOM, THRISSUR TALUK 680 015. 14
LEELA,W/O.A.A.RADHAKRISHNAN, SRI.AYYAPPA TINKERING GAS
WELDING, NO.69, MACTAM ROAD, TINDIVANAM,CHENNAI 600 001.
15 MANIKANDAN, CHITTILAPPILLY VEETIL, CHITTILAPPILLY
VILLAGE, DESOM, THRISSUR TALUK, 680 620. ***16 JANAKI, (DIED),
W/O.GRAMALA VEETIL KUNJUKUTTAN, MULAMKUNNATHUGAVU
VILLAGE, DESOM, THRISSUR TALUK 680 581. *** ADDL.R31 TO R37
IMPEADED. ****17 MADHAVI (DIED), C/O.GOPINATHAN,
KIZHUTHANI VEETIL, VARAKKARA DESOM,MANNAMPETA

VILLAGE,, THRISSUR TALUK 680 303. ****ADDL.R38 IMPEADED. 18 MADHAVAN, THIRUVAMBATTIL, VARAKKARA DESOM MANNAMPETA VILLAGE,THRISSUR TALUK 680 007. 19 VIJAYAN, - DO- - DO-. 20 KARTHIYAYANI, C/O.SUNDRAN, THIRUVAMBATT,PARLEYKADU VILLAGE, DESOM,, THALAPPILLY TALUK 680 010. -: 3 :-

21 RAJIKUMAR, S/O.THIRUVAMBATTIL MADHAVAN, KOORKKENCHERY VILLAGE, DESOM, THRISUR TALUK 680 001. 22 PRAVEEN KUMAR, THIRUVAMBATTIL, KUNNATHUMANA LANE, VADAKKE ANGADY, THRISSUR - 680 001. 23 SAJEEV KUMAR, -DO - DO-. *****24 K.V.RAMAKRISHNAN, KOTOKKY HOUSE, H.NO.1/95(a),VISHNU VIHAR ROAD, PO VIYYUR, THRISSUR - 680 001. ***** (TRANPOSED AS ADDL.A2.) IT IS RECORDED THAT THE 24TH RESPONDENT IN THE APPEAL IS TRANPOSED AS ADDITIONAL 2ND APPELLANT IN THE APPEAL VIDE ORDER DATED 14-10-2020 IN I.A NO.3 OF 2020.

*ADDL.R25 SHYAMALA, W/O.AYYAPPAN, VELIYANNOOR VEEDU, THRISSUR- 680021. *ADDL.R26 SEENA, D/O.AYYAPPAN, VELIYANNOOR VEEDU, *ADDL.R27 SIJINA, D/O.AYYAPPAN, VELIYANNOOR VEEDU, * THE LEGAL HEIRS OF THE DECEASED 2ND ARRAY AS ADDITIONAL RESPONDENTS 25 TO 27 VIDE ORDER DATED 28-01-2020 IN I.A NO.2 OF **ADDL.R28 ANITHA, W/O.ASOKAN, VELIYANNOR VEEDU, **ADDL.R29 AKHIL, S/O.ASOKAN, VELIYANNOR VEEDU, -: 4 :- **ADDL.R30 AKHILA, D/O.ASOKAN, VELIYANNOR VEEDU, THRISSUR- 680021. ** THE LEGAL HEIRS OF THE DECEASED 5TH ARRAY AS ADDITIONAL RESPONDENTS 28 TO 30 VIDE ORDER DATED 28-01-2020 IN I.A NO.11 OF 2019.

***ADDL.R31 REMA VELAYUDHAN, D/O.JANAKI, VELLARKKADU, ERUMAPETTI (VIA) MANAPPADI, THRISSUR- 680 584 ***ADDL.R32 SUSHEELA KRISHNAN, D/O.JANAKI, PULLIPARAMBIL HOUSE,

PUSHAPAKA ROAD, VADHUTHALA, COCHIN 24. ***ADDL.R33
SULOCHANA THANKAPPAN, D/O.JANAKI, VAKAYIL HOUSE, VAKA
P.O., MATTAM, THRISSUR- 680 602. ***ADDL.R34 SASIDHARAN,
S/O.JANAKI, URAMALA HOUSE, MAZHUVANCHERY, ERENAELLUR
P.O. THRISSUR 680 501. ***ADDL.R35 G.K.MOHANAN, S/O.JANAKI,
GRAMALA HOUSE, AISWARYA GARDEN-127, KOORKENCHERRY
P.O., THRISSUR- 680007. ***ADDL.R36 GEETHA N.B., D/O.GIRIJA
G.K., KARUVAN HOUSE, KOZHUKULLI P.O., MOORKANIKKARA,
THRISSUR- 680 751. ***ADDL.R37 MUKESH RAM,

NEDUMURIYIL HOUSE, ORUMANGOOR, KUNNATHUMANA LANE,
VADAKKE ANGADY, THRISSUR 680 512. * THE LEGAL HEIRS OF
THE DECEASED 16TH ARRAY AS ADDITIONAL RESPONDENTS 31
TO 37 VIDE ORDER DATED 2-12-2019 IN I.A NO.3 OF -: 5 :-
****ADDL.R38 VIJAYALAKSHMI, D/O MADHAVI,
KIZHUTHANIVEETIL, VARAKKARA DESOM, MANNAMPETTA
VILLAGE, THRISSUR -680 **** THE LEGAL HEIRS OF THE
DECEASED 17TH RESPONDENT ARE IMPEADED IN THE PARTY
ARRAY AS ADDITIONAL RESPONDENTS 38 VIDE

ORDER DATED 2-12-2019 IN I.A NO.8

OF 2019. *****ADDL.R39 KAVITHA SURESH, D/O LATE SAVITHIRI, AGED 48
YEARS, W/O SURESH KUMAR, MOOPALI HOUSE, P.O CHEVOOR,
THRISSUR. *****ADDL.R40 K.R ANUPAMA, D/O LATE SAVITHIRI, AGED 42
YEARS, KODOKI HOUSE, VISHNU VIHARAM ROAD, P.O VIYUR , THRISSUR -
680 010. *****THE LEGAL HEIRS OF DECEASED 1 APPELLANT ARE
IMPEADED IN THE PARTY ARRAY AS ADDITIONAL 3RD APPELLANT AND
ADDITIONAL RESPONDENT 39 AND 40 VIDE ORDER DATED 31-07-2023 IN
I.A NO.2 OF 2010 BY ADVS. SRI.JOSEPH SEBASTIAN PURAYIDAM
SRI.SANTHOSH P.PODUVAL saneesh kumar k SMT.R.RAJITHA
SMT.MABLE.C.KURIAN THIS REGULAR FIRST APPEAL HAVING BEEN
FINALLY HEARD ON 31.07.2023, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:

Sathish Ninan, J.

===== RFA No.29 OF 2011
===== Dated this the 31st day of July, 2023

JUDGMENT

In view of the order in I.A No.1 of 2023 dated 31-07-2023, this appeal is dismissed as not pressed. All pending interlocutory applications will stand dismissed. Sd/-
Sathish Ninan, Judge amk

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