

Pachiyammal vs Marathat

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SooperKanoon Citation : sooperkanoon.com/1364083

Court : Kerala Orders

Decided On : Aug-22-2023

Judge : Honourable Mr. Justice T.R.Ravi

Appeal No. : RSA/988/2010

Appellant : Pachiyammal

Respondent : Marathat

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE T.R.RAVI TUESDAY,
THE 22ND DAY OF AUGUST 2023 / 31ST SRAVANA, 1945 RSA NO.
988 OF 2010 AGAINST THE JUDGMENT AND DECREE IN AS
103/2006 OF DISTRICT COURT, PALAKKAD OS 243/1998 OF
PRINCIPAL SUB COURT, PALAKKAD
APPELLANTS/RESPONDENTS/DEFENDANTS: 1 PACHIYAMMAL,
W/O LATE PAZHANI KOUNDER AGED 83 YEARS, KULATHUKATTIL,
NEAR MALAYANKADU,, VALIYAVALLAMPATHY VILLAGE, CHITTUR
TALUK, 2 SAKTHIVEL, S/O.LATE PAZHANI KOUNDER AGED 54
YEARS, KULATHUKATTIL, NEAR MALAYANKADU,
VALIYAVALLAMPATHY VILLAGE, CHITTUR TALUK, SRI.BINOY

VASUDEVAN

SRI.R.MANIKANTAN

RESPONDENTS/APPELLANTS/PLAINTIFFS:

1 MARATHAL, W/O. LATE MAYILSWAMY KOUNDER AGED 53 YEARS,KULATHUKATTIL, NEAR MALAYANKADU, VALIYAVALLAMPATHY VILLAGE,CHITTUR TALUK, 2 ANANDHKUMAR, S/O.LATE MAYILSWAMY KOUNDER AGED 33 YEARS,KULATHUKATTIL, NEAR MALAYANKADU, VALIYAVALLAMPATHY VILLAGE,CHITTUR TALUK, 3 KUNCHI ALIAS PARAMESWARI, D/O.LATE MAYILSWAMY KOUNDER,AGED 32 YEARS,KULATHUKATTIL, NEAR MALAYANKADU,VALIYAVALLAMPATHY VILLAGE, CHITTUR TALUK,PALAKKAD DISTRICT. 4 SUBRAMANIAN, S/O.LATE PAZHANI KOUNDER, AGED 45 YEARS, KULATHUKATTIL, NEAR MALAYANKADU, VALIYAVALLAMPATHY VILLAGE,, CHITTUR TALUK,

SRI.R.HARISHANKAR - R1 TO R3 SRI.SAJAN VARGHEESE K - R4 SRI.LIJU. M.P - R4 SMT.PARVATHY NAIR - R1 TO R3 THIS REGULAR SECOND APPEAL HAVING COME UP FOR ORDERS ON 22.08.2023, ALONG WITH CO.11/2020, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE T.R.RAVI TUESDAY, THE 22ND DAY OF AUGUST 2023 / 31ST SRAVANA, 1945 CO NO. 11 OF 2020 AGAINST THE JUDGMENT AND DECREE IN AS 103/2006 OF DISTRICT COURT, PALAKKAD OS 243/1998 OF PRINCIPAL SUB COURT, PALAKKAD CROSS OBJECTOR/4TH RESPONDENT/3RD RESPONDENT/3RD DEFENDANT: SUBRAMANIYAN AGED 55 YEARS SAJAN VARGHEESE K. SRI.LIJU. M.P RESPONDENTS/APPELLANTS & RESPONDENTS NO.1 TO 3/RESPONDENTS NO.1 AND 2 & APPELLANTS/DEFENDANTS NO.1 AND 2 & PLAINTIFFS: 1 PACHIYAMMAL AGED 92 YEARS MALANKADU, NATTUKAL POST,

VALIYAVALLAMPATHY VILLAGE, 2 SAKTHIVEL AGED 64 YEARS
CHITTUR TALUK,PALAKKAD DISTRICT-678 554. 3 MARATHAL AGED
63 YEARS,W/O. LATE MAYILSWAMY KOUNDER, KULATHUKATTIL,
NEAR MALANKADU, VALIYAVALLAMPATHY VILLAGE, NATTUKAL
POST, CHITTUR TALUK,PALAKKAD DISTRICT-678 554. 4
ANANDKUMAR, AGED 43 YEARS S/O. LATE MAYILSWAMY
KOUNDER, KULATHUKATTIL, NEAR 5 KUCHI @ PARAMESWARI
AGED 41 YEARS S/O. LATE MAYILSWAMY KOUNDER,
KULATHUKATTIL, NEAR CHITTUR TALUK,PALAKKAD DISTRICT-678
554. SRI.BINOY VASUDEVAN R.HARISHANKAR SRI.R.MANIKANTAN
THIS CROSS OBJECTION/CROSS APPEAL HAVING COME UP FOR
ADMISSION ON 22.08.2023, ALONG WITH RSA.988/2010, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

T.R. RAVI, J.

----- [RSA No.988/2010 & CROSS OBJECTION
No.11/2020 in RSA No.988/2010]
----- Dated this the 22nd day of
August, 2023

JUDGMENT

When the case is taken up, the counsel for the appellants submits no instructions.
The appeal is dismissed for non- prosecution. The Cross Objection is also closed
in view of the dismissal of the appeal. Sd/- T.R.RAVI JUDGE mpm

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