

Rukmani vs Rajamma

Rukmani vs Rajamma

SooperKanoon Citation : sooperkanoon.com/1444183

Court : Kerala

Decided On : Feb-01-2022

Judge : Honourable Mr. Justice P.Somarajan

Appeal No. : RP/76/2022

Appellant : Rukmani

Respondent : Rajamma

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE P.SOMARAJAN
TUESDAY, THE 1ST DAY OF FEBRUARY 2022 / 12TH MAGHA, 1943
RP NO. 76 OF 2022 AGAINST THE ORDER/JUDGMENT IN RFA
238/2015 OF HIGH COURT OF KERALA, ERNAKULAM AGAINST THE
JUDGMENT AND DECREE DATED 31/10/2014 IN O.S.NO.376/2013
OF III ADDITIONAL SUB COURT, ERNAKULAM REVIEW
PETITIONERS/RESPONDENTS/DEFENDANTS: 1 RUKMANI, AGED 80
YEARS, W/O LATE SIVANANDI, VADAKKEMANGALATH HOUSE,
MONASTREE LANE, KARIKKAMURI, ERNAKULAM VILLAGE,
ERNAKULAM, KOCHI-682 011. 2 JAYAN V.S, AGED 56 YEARS, S/O
LATE SIVANANDI, VADAKKEMANGALATH HOUSE, MONASTREE

LANE, KARIKKAMURI, ERNAKULAM VILLAGE, 3 GEETHA V.S, AGED 50 YEARS, 4 RADAKRISHNAN V.S, AGED 45 YEARS, BY ADVS. P.VISWANATHAN (SR.) SMITHA MATHEW JIJI THOMAS RESPONDENT/APPELLANT/PLAINTIFF: RAJAMMA V.K., AGED 83 YEARS, W/O LATE AYAPPAN, CHEMALASSERIYIL HOUSE, RAMAMANGALAM P.O., RAMAMANGALAM VILLAGE, PIN-686 673 THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 01.02.2022, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: RP NO. 76 OF 2022 2

ORDER

The review petition is filed on the ground that at the time when the judgment was rendered, there is failure on the part of the counsel who appeared on behalf of the respondent to address their argument based on the affidavit sworn by the party (Ext.B9) in a different proceedings, wherein there is an admission to the effect that she is the uterine sister of deceased Vasudevan. That question was not taken up or agitated at the time of final argument. But for safeguarding interest, the said question left open for consideration by the trial court since there is an order of remand of the matter. With that observation, the present review petition is disposed of. The abovesaid question is also left open for adjudication by the trial court. The time limit specified earlier will stand extended for another three months from today. Sd/- P.SOMARAJAN JUDGE MSP RP NO. 76 OF 2022 3 APPENDIX OF RP 76/2022 PETITIONER ANNEXURES: Annexure A1 INFORMATION ISSUED BY THE CORPORATION OF KOCHI DATED 5.1.2021 ALONG WITH THE AUTHENTICATED COPY OF THE REGISTER OF BIRTHS DURING THE RELEVANT TIME

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com