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Abraham vs Chinnan

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SooperKanoon Citation : sooperkanoon.com/1489224

Court : Kerala Orders

Decided On : Oct-27-2022

Judge : Honourable Mrs. Justice M.R.Anitha

Appeal No. : RSA/94/2013

Appellant : Abraham

Respondent : Chinnan

Judgement :

IN THE HIGH cOu RT Or KERAIA AT ERun KULAI PRESENT THE HONOURABLE MRS. JUSTICE M.R.ANITHA THURSDAy,THE27THDAyOFOnoBERzOzz/5'IHKARTm RA,1944 AGAINSTTRE]u DGRENTANI)DECREEDATEDi9.09.2OizINAs52/2007oNTTIfFnLEOrI ADDITloNALDIsmlcrcou RT,Tmlssu RAGAINSTTHE]u DGMENTANI)DECREEINosINo. APRIrm/isLREsponDINr/isTDEFErmAITpr ABRAHAM, S/O. PULIKOTTIL UKKRUKUTTY, AGED 50, KATr AKAMBAL vl LLAGE, DEs OM, THALApplLLy TALUK. BY ADV SRI.R.S.KALKURA, ADV M.S.KALISH, ADV A.V.PRIYA, ADV ENSH COPINATH, ADV GENS GEORGE BESPEN|)ENrs/APPHIANr AhnLREspunERTs 2 To 4rfu.Anrm AND

DEFENDAvrs z To 4:

]OBUTTY, PENSIONER, AGED 68, S/0. PULIKOTTIL UKKRU, KAITAKAMBAL VILLAGE, DESOM, THAIApplLLy TAluK. TRICHUR,DlsmlcT, plN -680 543. THABITRA, D/O.PULIKOTTIL uKKRuruTly, AGED 51, AKATHIYUR VILLAGE, PAREMPADAM, DESOM, THALAPPILLY TALUK, TRICHUR DISTRICT, PIN - 680 543. EMILI, AGED 48, D/0.PULIKOITIL UKKRUKUTTY AND W/O.THOIATH KOCHUMON, KATTAKAMBAL VHIAGE. PENGAMUCK, DESOM, THALAPPILLY TALUK, TRICHUR DISTRICT, PIN -680 544. SALOMI, AGED 46, D/O.PULIKOTI'IL UKKRUKUTTY ANDW/O.KOLLANNURRA]AN,RESIDINGATVYSSERYANGADI, KUNNAMKULAM VILAGE, TIIALAPPILLY TALUK, TRICHUR DISTRICT, PIN -680 503.

(RESPONDENT NOS.2 TO 4 ARE REMOVED FROM PARTY ARRAY AS PER ORDER

DATED 27.10.2022 IN IA.NO.6/2022) BY ADV SRI.G.UNNIKRISHNi EN-R1 rms REGUIAR sEc OND App EAL IIAVING COME up FOR ADMlssloN ON 27.io.z022, TIE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: R.SA. NO. 126 0F 2013 and R.SA. NO. 94 Or 2013

IN TIIE HIGH cOu RT OF KERAIA AT ERNAKuun PRESENT TtH HONOu RABLE MRs. rusTlcE M.RANITHA THURSDAy, rm 27TH DAy Or Oc TOBER 2022 / 5'nI Krm THIKA, 1944 RSA NO. 94 0F 2013_ AGAINST rm TUDGMENT AND DECREE DAThD 19.09;zoiz IN As 53/z007 ON Tin Fin: or I ADDmo NAL DlsTRlcT cou RT, TmlssuR AGAINST THE ju DGMEI`IT AND DECREE IN oS i34o/2ooo DATED 13.i2zoo6 oN Tin FILE or MUNSIFF COURT, CRAVAKKAD

App EILANT/1 sT REsporo ENT/1 sT DEFEroANr; ABRAIIAM, S/0 PULIKOTTIL UKKRUKUTTY, KATTAKAMBAL VILLAGE, DESOM, TIIAIAPPILLY TALUK. BY ADVS. sRIRslunu RA SRI.GENS GEORGE ELAVINAMANNIL SRI.HARI SH

COPINATH SRIMSJCALESH SMTAVPRIYA s7AppEIIANr AND REspONDENTs 2 TO 4fr

CHINNAN, PENSIONER, S/OATHAPARARMBIL PULIKOTTIL ANNAPRAMBIL AMMAI ROAD, PAZHANJI P.O, RATI'AKAMBAL VILIAGE, DESOM, TIIAIAPPILLY TALUK, TRICHUR 680 543. THABITRA, D/O.puLIKor TIL uKKRUKu", AKATHIYUR VILLAGE, PAREMPADAM DESOM, TIIALAPPILLY TALUK, TRICHUR 680 519. EMILI, D/O.PULIKOTTIL UKKRUKUTTY, PULIKOTTIL, AND W/O.THOAIATH KOCHUMON, p.O RATr AKAMBAL vl LLAGE, pENGAMucK DEs OM, THALAPPILLY TALUK, TRICHUR 680 544. 4 SALOMI, D/O.PULIKOTTIL UKKRUKUTIY PULIKOTTIL AND W/OKOLIANNUR RAJAN, RESIDING AT VYSSERY ANGADI,

R.SA. NO. 126 0F 2013 and R.SA. NO. 94 0F 2013 KUNNAMKULAM vl LLAGE, TrlAIAppl LLy TALUK, KUNNAMKULAM P.0, THRISSUR 680 503. ADV SRI.G.UNNIKRI SHNAN-R1 THls REGULAR sEc OND japp EAL IIAVING corm up FOR ADMlsslON ON z7.io.202z, THE cOu RT oN THE SAME DAy DELlv ERED TTm FOILOwl NG: R.SA. NO. 126 0F 2013 and R.SA. NO. 94 Or 2013 TUDGRENT Dated this the z7th day of October, 2o ZZ. This appeal has been filed against the judgment and decree dated 19.09.2012 in A.S. No.53/2007 on the file of lst Additional District Judge, Thrissur which arose out ofjudgment and decree in O.S.No.1340/2000 dated 13.12.2006 on the file of Munsiffs Court, Chavakkad.

2. When the matter came up for admission, the both cases were referred for mediation and parties settled the matter in mediation and report was filed by the mediator along with memorandumofagreement.

3. On going through the mediation agreement furnished by

the mediator, it seems that the entire issues between parties have been amicably settled through mediation and terms and conditions of settlement are legal and proper. Hence, mediation agreement is recorded and R.SA. NO. 126 0F 2013 and R.SA. NO. 94 0F 2013

R.S.A.No.126/2013disposedintermswithmediationofagreement. Mediationagreementwillformpartofthedecree.Inthelightof the settlement, R.S.A.No.94/2013 is dismissed. Sd/- xps/ M.RANITm,ju DGE iiiii-iiiiiiii-_ DISTRICT REDIATION CENTRE, THRISSUR Near District Court Complex, Ayyanthole P.O., Thrissur-680 003 Email:thrissurdmc @ gmail.com Phone: 0487-2360010 D.NO. j2rm ;2022 Date 11.10.2022 To The Registrar, (Judicial) Hon'ble High Court of Kerala, Emakulam, Kochi. \ c: `.i !]1 i ,_'1,?7 Eiil Respected Sir. 1` ' -,. Sub:MediationinRSANo.94/20i3(C)&`RSA-ilo.`1i`6/2013(F)Reportof Mediation-Submitting of-Reg. Ref: Letter No. RSA 94/2013 (C)& RSA126/2013(F) Dated 11/08/2022 of Hon'ble High Court of Kerala.

With reference to the above, I am submitting the mediation report (Settled) in RSA No. 94/2013(C) &RSA No.126/2013(F) on the file of Hon'ble High Court of Kerala, for favour of necessary action.

rl Yours faithfully, i HIE District Co-Ordinator Principal District Judge (In Charge) i-DISTRICT MEDIATION CENTRE THRISSUR REPORT ON MEDI .ATION Ado. N.S . RQm fas\1 Name Mediator : Details of case considered : R S o \i\2_o`3, asn qq\2a`g oF UON, ISLE \\\Cr,u Cou RT Of t`E,flLf Date of reference for Mediation : \ \ - a - 2-a 2-1 Date of apperence of Parties : 21.8-212_ |G-C]-2.Q2i n 1G} -i -1611 Date of conclution : \'Ej, s E.| i L E 1> Whether Settiled or Not : r Whether compromise Prepared or Not : \| t= S , v a- p r\ a i I,

-_i.:--:-----==- Signature of Mediator : 6nlof72. cdb 6i6iof]cd}6]iosco1, no)06modb29O O}(ni06ico>

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