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Villodi Devaki vs Madhusoodanan

Villodi Devaki vs Madhusoodanan

SooperKanoon Citation : sooperkanoon.com/1495191

Court : Kerala

Decided On : Apr-07-2022

Judge : Honourable Mrs. Justice Shircy V.

Appeal No. : RSA/919/2016

Appellant : Villodi Devaki

Respondent : Madhusoodanan

Judgement :

RSA NO. 919 OF 2016

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MRS. JUSTICE SHIRCY V. WEDNESDAY, THE 7TH DAY OF APRIL 2022 / 17TH CHAITHRA, 1944 RSA NO. 919 OF 2016 AGAINST THE ORDER/JUDGMENT IN AS 46/2007 OF ADDITIONAL DISTRICT COURT & SESSIONS COURT - III, MANJERI / III ADDITIONAL MACT, MANJERI OS 34/2003 OF MUNSIFF COURT, MANJERI APPELLANTS/RESPONDENTS 1,10,11 AND 12/PLAINTIFFS 1,11,12 AND 13

1 VILLODI DEVAKI D/O VILLODI UNNICHOZHI, MALAPPURAM AMSOM KEEZHMURI DESOM, ERNAD TALUK, MALAPPURAM DISTRICT. 2 THEKKINIYEDATH SHYLAJA D/O KRISHNAN, MALAPPURAM AMSOM KEEZHMURI DESOM, ERNAD TALUK, MALAPPURAM DISTRICT. *DIED, LRS, IMPLEADED. 3 THEKKINIYEDATH SURESH S/O KRISHNAN, MALAPPURAM AMSOM KEEZHMURI DESOM, ERNAD TALUK, MALAPPURAM DISTRICT. 4 THEKKINIYEDATH GIRISH S/O KRISHNAN, MALAPPURAM AMSOM KEEZHMURI DESOM, ERNAD TALUK, MALAPPURAM DISTRICT. ADDL.APPELLANTS IMPLEADED ADDL.A5 PADIYAN CHATHUKKUTTY, S/O. PADIYAN KUNDAPPAN, KARTHIKA HOUSE, PULIYANCODE AMSOM VELLERI DESOM, ERNAD TALUK, AREECODE, CHEMRAKKATTUR.P.O. MALAPPURAM DISTRICT ADDL.A6 P.C.SHAJNA, W/O. AJEESH.O,ORALAKKOTTU HOUSE, PUTHOOR AMSOM PERUMANNA DESOM, PANNIYURKULAM P.O, PANTHEERANKAVU KOZHIKODE DISTRICT PIN 673019

RSA NO. 919 OF 2016 ADDL.A7 ADWAID, AGED 8 YEARS, (MINOR), S/O. LATE SHEEJA, KARAVANGAD KOTTAYIL HOUSE, AZHINJILLAM AMSOM DESOM, ERNAD TALUK, MALAPPURAM DISTRICT REPRESENTED BY HIS FATHER SHAIJU, AGED 44 YEARS, S/O. CHATHU, KARAVANGATU KOTTAYIL HOUSE, AZHINJILLAM AMSOM DESOM, ERNAD TALUK, MALAPPURAM DISTRICT PIN 673632 THE LEGAL REPRESENTATIVES OF DECEASED 2ND APPELLANT ARE IMPLEADED AS ADDL.A5 TO A7 AS PER ORDER DATED 8.4.2022 IN I.A.NO.3/2022

BY ADVS. SRI.M.A.ABDUL HAKHIM JOSEPH GEORGE M.A.AZEEZ MUSHTAQUE RESPONENTS/APPELLANTS 1,2 AND 4 TO 10 AND RESPONDENTS 2 TO 9,13 & 15 TO 24/PLAINTIFFS 3 TO 10 & DEFENDANTS 1 TO 3 & 6 TO 12 AND LRS OF DEFENDANTS 4 AND 5

1 MADHUSOODANAN S/O KOLKADAN THUPPAN, DEPUTY SUPERINTENDENT OF POLICE, RESIDING AT MIDUNAM,

MALAPPURAM AMSOM, KEEZHMURI DESOM, ERNAD TALUK, MALAPPURAM DISTRICT. 2 SAYIKA W/O MADHUSOODANAN, RESIDING AT MIDUNAM, MALAPPURAM AMSOM, KEEZHMURI DESOM, ERNAD TALUK, MALAPPURAM DISTRICT. 3 SANTHAKUMARI W/O LATE KOLKADAN VASU, NOORADI, VADAKKEMANNA, KODUR AMSOM DESOM, PERINTHALMANNA TALUK, MALAPPURAM DISTRICT. 4 SUDHIR

RSA NO. 919 OF 2016

S/O LATE KOLKADAN VASU, NOORADI, VADAKKEMANNA, KODUR AMSOM DESOM, PERINTHALMANNA TALUK, MALAPPURAM DISTRICT. 5 SUNIL S/O LATE KOLKADAN VASU, NOORADI, VADAKKEMANNA, KODUR AMSOM DESOM, PERINTHALMANNA TALUK, MALAPPURAM DISTRICT. 6 SURESH S/O LATE KOLKADAN VASU, NOORADI, VADAKKEMANNA, KODUR AMSOM DESOM, PERINTHALMANNA TALUK, MALAPPURAM DISTRICT. 7 SUDHEESH S/O LATE KOLKADAN VASU, NOORADI, VADAKKEMANNA, KODUR AMSOM DESOM, PERINTHALMANNA TALUK, MALAPPURAM DISTRICT. 8 SHYLAJA D/O LATE KOLKADAN VASU, NOORADI, VADAKKEMANNA, KODUR AMSOM DESOM, PERINTHALMANNA TALUK, MALAPPURAM DISTRICT. 9 SINDHU D/O LATE KOLKADAN VASU, NOORADI, VADAKKEMANNA, KODUR AMSOM DESOM, PERINTHALMANNA TALUK, MALAPPURAM DISTRICT. 10 VILLODI JANAKI D/O VILLODI KANDU @ APPU, MALAPPURAM AMSOM KEEZHMURI DESOM, ERNAD TALUK, MALAPPURAM DISTRICT. *DIED, LRS, IMPLEADED.

11 VILLODI BHASKARAN S/O VILLODI KANDU @ APPU, MALAPPURAM AMSOM KEEZHMURI DESOM, ERNAD TALUK, MALAPPURAM DISTRICT. 12 VILLODI LEELAVATHY D/O VILLODI KANDU @ APPU, MALAPPURAM AMSOM KEEZHMURI DESOM, ERNAD TALUK, MALAPPURAM DISTRICT. 13 VILLODI RAVEENDRAN S/O VILLODI KANDU @ APPU, MALAPPURAM

AMSOM KEEZHMURI DESOM, ERNAD TALUK, MALAPPURAM DISTRICT RSA NO. 919 OF 2016

14 VILLODI KARTHIYANI W/O VILLODI KRISHNAN, MALAPPURAM AMSOM KEEZHMURI DESOM, ERNAD TALUK, MALAPPURAM DISTRICT. 15 VILLODI SASIDHARAN S/O VILLODI KRISHNAN, MALAPPURAM AMSOM KEEZHMURI DESOM, ERNAD TALUK, MALAPPURAM DISTRICT 16 VILLODI SURENDRAN S/O VILLODI KRISHNAN, MALAPPURAM AMSOM KEEZHMURI DESOM, ERNAD TALUK, MALAPPURAM DISTRICT 17 VILLODI SULOCHANA D/O VILLODI KRISHNAN, MALAPPURAM AMSOM KEEZHMURI DESOM, ERNAD TALUK, MALAPPURAM DISTRICT. 18 SREENIVASAN S/.O MATHODI KELU, MALAPPURAM AMSOM KEEZHMURI DESOM, ERNAD TALUK, MALAPPURAM DISTRICT. (R18- RECORDED AS LEGAL HEIR OF R10) 19 HARIDASAN S/O MANNIL AYYAPPANKUTTY, BUS STAND HOTEL, HONAVALLY POST, TIPTUR TALUK, KARNATAKA STATE. 20 VASANTHA D/O MANNIL AYYAPPANKUTTY, BUS STAND HOTEL, HONAVALLY POST, TIPTUR TALUK, KARNATAKA STATE. 21 SUMA D/O MANNIL AYYAPPANKUTTY, BUS STAND HOTEL, HONAVALLY POST, TIPTUR TALUK, KARNATAKA STATE. 22 THANKAMANI D/O MANNIL AYYAPPANKUTTY, BUS STAND HOTEL, HONAVALLY POST, TIPTUR TALUK, KARNATAKA STATE. 23 RAVEENDRAN S/O MANNIL AYYAPPANKUTTY, BUS STAND HOTEL, HONAVALLY POST, TIPTUR TALUK, KARNATAKA STATE. 24 BABY S/O MANNIL AYYAPPANKIUTTY, BUS STAND HOTEL, HONAVALLY POST, TIPTUR TALUK, KARNATAKA STATE. 25 SINDHU D/O MANNIL AYYAPPANKUTTY, BUS STAND HOTEL, HONAVALLY POST, TIPTUR TALUK, KARNATAKA STATE. 26 MEENAKSHI

RSA NO. 919 OF 2016 W/O VILLODI GOVINDAN, VALIYAPARAMBU, MAKKARAPARAMBA AMSOM, PERINTHATTIRI DESOM, PERINTHALMANNA TALUK. 27 BINITHA D/O VILLODI GOVINDAN,

VALIYAPARAMBU, MAKKARAPARAMBA AMSOM, PERINTHATTIRI DESOM, PERINTHALMANNA TALUK. 28 BINEESH S/O VILLODI GOVINDAN, VALIYAPARAMBU, MAKKARAPARAMBA AMSOM, PERINTHATTIRI DESOM, PERINTHALMANNA TALUK.

*ADDL. RESPONDENTS IMPLEADED ADDL.R29 SANTHAKUMARI.M, W/O. BALAKRISHNAN.P, PERUMUNDAYIL HOUSE, POKKOOTTOOR AMSOM, VELLOOR DESOM, ERNAD TALUK, MALAPPURAM DISTRICT PIN -676517 THE LR OF DECEASED R10 IS IMPLEADED AS AD DL.R29 AS PER ORDER DATED 8.4.2022 IN I.A.NO.1/2022 BY ADVS. SRI.B.KRISHNAN P.B.KRISHNAN R.PARTHASARATHY THIS REGULAR SECOND APPEAL HAVING COME UP FOR ADMISSION ON 06.04.2022, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: RSA NO. 919 OF 2016

JUDGMENT

The appellants are the plaintiffs in O.S.No.34 of 2003 filed before the Munsiff Court, Manjeri for declaration and injunction pertaining to the property scheduled in the plaint. O.S No.34 of 2003 was tried along with O.S.No.32 of 2003. By a common judgment and decree O.S.No.34 of 2003 was decreed in part. O.S.No.32 of 2003 was dismissed.

2. A.S.No.46 of 2007 is the appeal filed against the judgment

and decree in O.S.No.34 of 2003. A.S.No.46 of was allowed in part and the judgment and decree in O.S.No.34 of 2003 was modified by a judgment dated 22.3.2016. The said judgment is under challenge in this appeal.

3. During the pendency of this appeal the dispute between the

parties have been settled in mediation and a compromise have been arrived between the parties and I.A.No.4/2022 has been filed to accept the joint statement. All the parties to the litigation have signed the joint statement settling the dispute between them and hence, the settlement agreement filed as

I.A.No.4/2022 is accepted as prayed for. Therefore, this appeal is only to be allowed accepting RSA NO. 919 OF 2016 the terms and conditions in the settlement agreement. In the result, the appeal is allowed in terms of the settlement agreement arrived between the parties dated 2.4.2022. I.A.No.4/2022 will form part of the decree. No costs. All pending application(s) will stand disposed of accordingly. Sd/- SHIRCY V JUDGE smm r.;.ex*u% ` ac_ cf urn rib ., tk %t/'? == riled ori: ()6`04J2o22. BEFORE THE HON;BL HIGH COURT 0F KERALA AT ERNAKULAM .` RS5.A.Nti. 919 of2016 (B) 1a 1 )fuse L`titionr,`6!h res ondem in RSA: Villodi De\.Ski & cithers ondents & Addl. 29un res |1ndgn': .=Q]- M8dhlj`si-Iodan.in & crihers u~ PEstlTic>fu At`JD j{>ib'.i` s TATEMEN'i` r'i LED ii NDER ORDER xxlll. RULF^ 3 OF jt\'DLNTS i TO 9 ct')I;ri'f,i,I,Fup`REs`p{i PARTHASARA I H Y .I *L' 151 " 1996) COUNSEL I'`OR RESPO`-DENTS 11-28 Cdy 9tw3 fo ck`~ful , ke=-- < ;: \) BEFORE THE HONORABLE HIGH COURT 0F KERALA

; ,._ A+[EENAKUIAM `; RSA No. 919 of 2016 vS\r I\lame and Address Of the ABDellants A1I VIIlodi Devaki D/a Villedi unnichozhj, Mafappuram Amsom Keezhmuri De5om Emad Taluk Ma!appuram District A2 Thekkinlyedath Shy!aja, D/o Krishnan , Malappuram Amsom KeezhmuriDesomEmad`|alknI_a_j!pp.p=TL9++5+gict.ExpbedThevehi`rdathSursh.,S A3 Amsom Keezhmuri Besom Emad Taluk Malappuram Dt A4 Tht!kkinlyedath Girish , 5/a Krishnan, Malappuram Amsom ` Keezhmuri Besom Emad Taluk Malappuram District A5 Padfyran CI.athukutty , Karthika House , Chemrakkattur P.a -ArecodeL village , Ernad,Talut-Malappuram District. A6 P C Shajna , W/a Ajeesh a, Oralakkottu, Panniyoorkulam, Pantheerankavu, Xozhikede, Kerala, Pin 673019 A7 Adrlaidh Xrishna S/a Shaiju K K, Karuvangatt Kottayil House Andikkadankuzhi, Farook College P.o , Vazhayur , Malappuram, Farook College , Kerala,_ 673632. 8 yrs Minor

Name and Address of the Res ondants R1 Malh X S/a Kolkadati Thapran Deputy Superintendent Of Polite residing at Midunam Malappuram Amsom Keezhmuri Besom Emad Taluk Malappuram District Pin 676505

R2 Sayiha , W/a Madhusoodanan residing at Midunam Malappuram Amsom Xeezhmuri Besom Ernad Taluk MalappuramDlstrictpln67-65-6S-Santhafumari W/a Late Kolkaden Vasu , Nooradl, !R3 Vadakkemanna , Kodur Amsom Besom, Perinthalmanna Taluk , Malappuram District Pin 676S04 R4 Sndbir, S/o late Kolkadan Vasp , NopTadi, Vadakkemanna , KodLlr Arrisom Dsom, Pe-rinthalrrian-n`a Taluk , Malappuram District Pin 676504 i Sunil , S/a Late Kolkadan Vasu , Nooradi, Vadakkemanna , iR5 Kodur Amsom Besom, Perinthalmanna Taluk , Malappuram District Pin 676504 R6I Sqwh', S/a tats-Kolkadan Vasu , Ncoradi, Vadakkemanna , Kodur Amsom Besom, I Perinthalmama Taluk , Maiappuram District Pin 676504

a+&,rfuty##iff RQ`, :.t#i#:?--i.i E=ERE LEI Eel

R7 Sudheesh, S/o Late Kolkadan Vasu ,Nooradi, Vadakkemann@ , Kodur Amsom Besom, Perinthalmanna Talut-, Mafappuram District Pin 676504- R8 Sliylaja , D/a Late Kolkedan Vasu , Nooradi, Vadakkemanna , Kodur Amsom Besom, Perinthalmanna Taluk , Malappuram District Pin 676504 R9 Sindhil , D/a Late Kalkadan Vasu , Ncoradi, Vadakkemanna, kodLir Amom Besom , Perinthalmanna Taluk Mafa puram District Pin 676504 R10 Villodl Janaki, D/a vilTedi Kandu @ Appu , Malappuram I Amsom Keezhmuri Desom Ernad Taluk , Malappuram District Expired. Rll Vmodi Bhaskaran , S/a VIltodi Kandu @ Appu , Malappuram Amsom Keezhmuri Desom Emad Taluk , Malappuram Dt ftl2 VIltodi leelavathy, D/o Viltodi Kandu @ Appu ,

EEE Malappuram Amsom Keezhmuri Besom Ernad Taluk,

Malappura in District. Villedi Raveendran , S/a villodi Kandu @ Appu , ' R13 Malappuram Amsom Keezhmuri Besom Ernad Taluk, Malapparam District. R14 VIllodi farthiyani , W/a VIllodl I(rishnan , Malappuram Amsam Keezhmuri Besom Ernad Taluk , Malappuram Dt R15 V1edi Sasidharan , S/a villodi Krishnan Malappuram Amsom Keezhmuri Besom

Ernad Taluk, Malappuram Dt R16 Viodi Surendra{i , S/a Villodi Krichnan MalappeTam Amsom Keezhmuri Besom Emad Taluk, Malappuram Dt R17 Villod! Sulochana , D/a Villodi Krj5hnan Malappuram Amsom Keezhmuri Besom Emad Taluk, Malappuram Dt R18.R19 Sreenivasan S/o Mathodi Kelu , Malappuram Amsom Keezbmuri Besom Emal TaLulL MaLappiiram Dlstrlct Haridasan S/c. Mannn Ayva|]pank\itty t 8vs stand Ho`el . Honavally P.a , Tiptur Taluk, Karnataka State Pin 572201 R20 Vasantha, D/a Marmjl AyyappankLitfty , Bus stand Hotel , Honavally P.a , Tiptur Taluk, Kamat`aka Stat-e Pin 572201 R21i !i::aav'aE(p::::;'fuAra?upk:nKka#iBfausss:::dpj:;!2o R22 Thankamani , D/a Mannil Awappankutty , Bus stand Hotel tlonavally P.a , Tiptur Taluk, Kamataka State Pin 572201 R23_ Ra-ve+e-n-dr-8n',S/o-Ma-n-ni1A-Wa-p-p-aTitutt-y,Bus-sra-n-dHol-el, Honavally P.o , Tiptur Taluk, Karnataka State Pin 572201 lR24 Baby, D/a Mannil Ayyappankutty , Bus stand Hotel , Honavally P.a , "ptur Taluk, Karnataka State Piri 572201 R25 Sindhu, D/a Mannil Ayyappankutty , Bus stand Hotel , Honavally P.a-, Tiptur Taltik, Kamatalca-State Pin 572201-

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Meenakshi , W/a Vlllodi Govindan , VallyapaTambu , Makkaraparamba Amsom , Perinthattiri Besom, PeLrinthalmannaTaluk , Pin 676507 Binitha , D/o Villodi Govindan , Valiyaparambu, I Deso) \! rvIaKKaraperamBa rmsom , rerfritnaltiri ijesom, t' Perinthalmanna Taluk, Pin 676507 Bineesh , S/a Villodi Govindan , Valiyaparambu, lR28 Makkaraparamba Amsom , Perinthattiri Besom, Perinthalmanna Taluk Pin 676507 Shanthakumari M ,W/o Balakrishnan P , PerumundayiT iR29 House , Velloor P.a Via Pookkottoor , Malappuram District

JOINT STATEMENT FILED BY TlIE APPELLANTS AND THE RESPONDANTS uniDm oREm xxr m]L 3 Cfl= Ti+E CODE oF CTVTL pRocEDt TRE 1) Appellants being aggrieved by thejudgement and decree in AS No 46/2007 Of the Addl . District Coilr[No 111 Manjeri dated 22/03/2016 aris-ing from the

judgement and decree in OS No 34/2003 dated 15/03/2007 of the Munsif Court

Manjeri pray to set aside the judgement and decree of the Lower Appe!Iate Court.

2} One Kunhutty @ Chakkifutty; a childless Hindu widow sole-legal heir of her deceased bushand Krishoanfutty @ Kuttappu who purchased 55 cents vide Doc no 1832/34 Of SR0 Malappuram, executed Ext AI will 16/66 of SRO Perimtalmanna bequeathing the 55 cerits , in favor of four of her siblings,namely Devaki', Ammuktltty, Kfishnan, Kandu @ Appu. After the sale of 10 cents-with 6 3 feet width way as oral Casement right by grant to Respondant no 1 and 6 3/. cents to the predecessor of respondant 18 , the remaining land found to be

RE 32 cents on measurement is the 8 schedule property. Appellants and the

sLJpporting Respondants 10 to 28 are the legatee and the- legal- heirs- Of the- deceased legatees. The contesting Respondant No 2 purchased 5.29 cents Of land vide Doc no 189/03 of SRO Malappuram from one Vasu , the legal heir of the husband of Chakkikutty who received it through a release deed Doc no legatees Krishnan and Kandu @Appu predeceased the testator and the issue is whether the legacy is lapsed or not. The trial court decreed the suit as prayed for holding that the legaey is not lapsed whereas the Lower Appellate Court partly allowed the appeal holding that the legacy js +apsed with respect to the predeceased legatees and reverted back to the testator as residual property.

i- rq# a)- eel.ffirng' i ap grtsM' toajgr 3) A2 Thekkiniyedath Shylaja, D/o Krishnan , Malappuram Amsom Keezhmuri Besom Emed Tafuk Mafappuram District Expired . ts per legal heifship Certificate No. TLKERD/494/2021/E2 dated 29/08/2021 issued by Tahsildar Emad the legal heirs are a) f]ediyan Chathukutty 73 yrs Husband, Karthjke House , Chemrakkattur P.a , Arecode Village , Ernad Taluk Malappuram District.

b) P C Shajna 37 yes Daughter W/a Ajeesh a, Oralakkottt], Parmiycorkulam, Pantheerankavu, I(ozhikode, Kerala, Pin 673019. c) Adwaidh Krishna S/o Shaiju K K, Karuvangatt Kottayil House , Andikhadankuzhi, Earock CalLege P.a , Vazhayur , Malappuram, Farook College , Kerala, 673632, 8 yrs Minor. The legal heirs are impleaded as Appellants 5,6 and 7. Similarly Respondent 10 , Villodi Janaki also expired. Her legal heirs are Shanthakumari M, w/a Balakrishnan P ,

a Perumundayil House , Velloor p.o via pcokkottoor , Malappuram district pin

676517 who has been impleaded as Respondant 29 . The other legal heir is Sreenivasan S/o Kelu who has already been included as Respondaut 18 . 14th Respondant Villodi Karthiyani also died and her legal representatives are Respondants R15, R16 and R17. The 6th Re5pondant Suresh is in Kingdom of Saudi Arabia and is represented by his wife Dhanya duly constituted by him an agent by deed of Power Of Attorney dated 12th January 2022. Respondents R19 Haridasan ,R21 Suma, R22 Thankamani , R23 Raveendran , R24 Bady and R25 Sir`dhu are in Kamataka state and are represented by R18 Sreenivasan duly constituted by them an agent by deed Of Power Of Attorney dated 10/01/2022.

4} Thedtspute has beert settled betvreen the Appetht‌s and the Respondents ta in the presence of mediators and well wishers by taking into consideration of thedecreeOftheLowerAppellateCourtalso.Thedecisionstakenareasfollows

i 1/4th share t AI Devaki i 1/4th share to AI Shvlaje, A3 Suresh & A4 Gidsh . Since AI Shylaja expired,hersharetoherlegal-beirs-A5-Party-Chathckufty,-A6PC Shajm andA7 Adwaidh Krishna 8 vrs Minor . i 1/4th share to RI Mal]husoodanan and ca Sayik3 i 1/4th share to R3 Shanthafuimari , R4 Sudheer , R5 Sunil, R6 Suresh , R7 Sndheesh -,-R8-Shylai&and-ca Sindhu .

The appeal can be allowed recording the terms and conditions. 2E~&irrtycou fty#E#Tca### a Appellants A1 Villedi Devakl D/o Villodi Unnichozhi,

i I Malappuram Amsom Keezhmuri Besom

Mala-i-Fur-a in Ainsori Keezhrri u ri Desorri Ernad Taluk Malappuram District Expired . xC/- A3 Tliekkiliiyedath Surech , S/o Krishnan , Malappuram Amsom Keezhmuri Besom Emad Taluk Malappuram District ThekutnfyedattrGirlch -, S/a Krichnan, Ir_%rjf: A4 Malappuram Amsom Keezhmuri Besom c2dL:S@r==rL Emad Taluk Malappuram District A5 Paidlyan Chathukutty , Karthika House , Chemral{kattur P.o , Arecode Village , nculappuyQ Emad-Talult-MalappuramDjstrict-. 1cl cL3).i. A6 P C Shajna W/o Ajeesh Oralakkottu, Panniyoofhalam. Pantheerankavu. Korhikode, Kerala, Pin 673019, i as =,J L`l A7 Adwaidh Krishna S/o Shaiju K K, .,-::^`.=* `.+ ,-c: Karuvangatt Kottayil House , Andikkadankuzhi,Vazhayur Farook coJiegep.o, Malappuram, Farook College , Kerala, 673632. , 8 yrs Minor i iL\3\&ky`kypri

Respondants R1 Madhusoodanan K S/o Kolkadan Thupran Deputy Superintendent Of Police residing i,I;I..ul` vrf"I at Midunam Malappuram Amsom Keezhmuri Besom Emad Taluk Malappuram District Signature w. and lace '

R2 5ayma , W/a Madhusoodanan residing at i hih= Lk -3 --i: lvlidunam Malappuram Amsom Keezhmuri Besom Emad Taluk Mafappuram District in a Ltr P a Q` Qr n R3 Santhakumarl W/a Late Kofkadan Vasu , Nooradi, Vadakkemanna , Kodur Amsom ho .cm 9> 99 tsq Lfrij Dgsom, PerrmalTTranna Tafuk , Malartyuram District Pin 6765o4 fed /a,2,rJfr5 a qG R4 Sudhir, S/o late Kolkadan Vasu , ooradi, Vada*kefmanna , I(odor Amsom I froGflQ ppvicu Besom, Perinthalmanna Taluk , MalappuFam District pin 676504 4.3. a2`

J# ireftyawh Thfa`#Gasi R5 Sunll , S/a Late Kolkadan Vasu , Ncoradi, Vadakkemanna , Kodur Amsom .Jaq23cy-i: ? Besom, Perinthalmanna

Taluk-, Malappuram District Pin 676504 IrI\eD+ !R6 Suresh , S,`o Late Koikadan Vasu , DLiandq. H` as& Nooradi, Vadakkemanna , Kodur Amsom Besom, Perinthalmanna Taluk , Malappuram District Pin 676504 R7 Siltheesh; S/o Late Kolkadan Vasu , Nooradi, Vadakkemanna , Xodur Amsom t EL 2-fy` D3. f2c23.f! Desom, Perinthalmanna Taluk , Malappuram District Pin 676504 ndpp-. R8 Shylaja , a/a Late Kolkadan Vasu , ftc- `2Al (12- Nooradi, Vadakkemanna , Kodur Amsom Besom-, PeTiwhalrmarma Taluk . I ulopp4ij,'on

rl MalappLlram District Pin 676504

R9 Slndhu , D/a Late Kolkadan Vasu , Nooradi, Vadakkemanfla, kodur Amsom DesorTi , 8#h~,`3|#iarfe` Perinthalmanna Taluk Malappuram District RIO Viltodi-Janaki, D/a Vilfodi Kandti @ Appu , Malappuram Amsom Keezhmuri Besom Ernad Taluk , Malappuram District Expired. A i,,. Rll Viltodi Bhaskaran , S/a VIllodi Kandu @ Appu , Malappuram Amsom I(eezhmuri Descrm Emad TalLck , Ma!appuram Disti-id . ,#\::Tfiii` R12 Villedi lLeelavathy, I)/o Vil!odi Kandu @ Appu , Malappuram Amsom Keezhmuri az,a-es:=-lia- _Besom i_mad Taluk, MalappLiT`am Djssrict, a-i3_ Villodi Raveendran . S/o Villodj Kandu @ Appu , MaLappuram Amsom Keezhmuri I Desom Emad Taluk, Ma[appuram District. T . -=iT1= R14 VIllodi Kartliiyani , W/o Villodi Krishnan , MaleppuramAmsom Keezhmuri Besom .ErnadTaluk,MalappuramDistrict.z*f#+ ts R15 Villodi Sasidharan , S/a V"odi Krishriari i Malappuram Amsom Keezhmuri Besom Emad Taluk, Malappuram District. *j3f.{r5i`:ty=-=9 1.-I- (I-_r

VIIIodi Surendran , S/a Villodi Kdshnan I.. R16 Malappuram Amsom Keezhmuri Besom- hrtyra?qu~ Emad TalLik, Malappuram District . |=|-C,1-| R17 Villodi Sulachana , D/a Vitled.{ Krishnan I /\`ha ,\ rye Malappuram Amsom Keezhmuri De5om 8-. Il-;:pzwz Emad Taluk, Malappuram District R18 Sfeenivason S/a Mathodi Kelu , f=a=aLt`QAapi`1 Malappuram Amsom Keezhmuri Besom Emad Tafuk, Malappuram District

#drrmunrtyfty---givffii,ifap enifeen*6#7 is--ul-" i Haridasan S/a Mannil Ayyappankutty , Bus stand Hotel , Honavally P.o , "ptur

rl9 Taluk; Karnataka- State-Pin 572201 R20 Vasantha, D/a Mann

R21 Suma , D/a Mannil Ayyappankutty , 1esivJ \j(!>p^~ . t+ .

Bus stand llotel , Honavally P.a , Tiptur Taluk, Kamataka State Pin 572201 1. .y RZZ ThanRamani , D/a Mannit Ayyappankunty i c==>E'~`Q 'J`|,c,+,.^. u. I Bus stand Hotel , Honavally P.a , Tiptur Taluk, Kamataka State Pin 572201 1tJ ` : _- - R23 Raveendran , S/a Mannil Ayyappankutty , = .. JIT i t.. -. =`L .``^ + " Bus stand Hctel , Honavally P.a , Tjptur Taluk, Xamatalea State Pin 572201 vri R24 Baby, D/a Mannil Ayyappankutty , -`-`...`L `J.-+I-." i Bus stand Hotel , Honavally P.a , Tiptur TaluL Kamataka State Pin 572201 _-..- -Qi R25 Sindhu, D/o Mannil Ayyappankutty , = J t-vJi `^ -A . \L+ Bus stand Hcte] , I.Ionavawy P.a , Tictur Taluk, Karnataka State Pin 572201 I (--=T-a Meenakshi , W/a Villodi Govindan , R26 Valjyaparambu , Makkaraparamba Amsoin , tjfa=fai,Lrtya`toFiL" Perinthattiri besom, P~erinthalmanna T-aluk , , R27 Bin!tha , D/a Villodi Govindan , -+:- ,`.`.,'.t`....`- ` Valiyaparambu, Makha rapara mba I Amsom , Perinthattiri Besom, 22-I c,3 i 2-t Perinthalmanna Taluk, Pin 676507 R28, Bin~e-e-sh-, S/o-Villodi G-vindan , Valiyaparambu, Makkarapara mba u^ap rfuwhp~ Amsom , Perinthattiri osom, ' jzeyo3 (2z_ Perinthalmanna Taluk Pin 676507 R29 Shanthakumari M ,W/o Balakrishnan P , Perumundayil House, Vdioor P.o-Via- ife mQ leLvf>L^y_ Pookkottcor , Malappuram district. a`EL - cs i, - a 1

We the petifroneTs above rramed (Appellants and Respondents) do hereby declare that what is stated above is trtie to the best of our knowledge , lriformatfon and beef # Cl toq f ca "' G-kmair gr !f2fflhlF .

Appellants C\ a / A1 Viindi twaki D/a VIlledi Unnichozhi, Malappuram Amsom Keechmuri Besom I fit,(_ dr=`\!(Signaturewthdate \C=.A Emad

Taluk Malappuram District A2 Thekkiniyedath Shylaja, a/a Krishman , M`alappuram Amsom Keezhmuri Besom Ernad Taluk Malappuram District Exgived . A3 Thckkinivedath SuTesh , S/a KrishnarL , Malappuram Amsom Keezhmuri Besom Ernad Taluk Malappuram District ysg`faLj:5Lst+# Thldtirtyredath Girish -, S/a Krishnan, A4I Malapprram Amsom Keezhmuri Besom Oj.2te:,,iE-= Ernad Taluk Ma!appuram District A5 Pagivpn Chathuhrtt`/ , Karthika House , Chemrakkattur P.a , Arecode Village , rnad Taluk' Malappuram District. S'`amaQ*O\f2tw= A6 P C Shajna W/a Ajeesh Orarakkottu, Pamiyoorku!am, Pantheerankavu, t:`,i#*i:::....:i Kozhikode, Kerala, Pin 673019, 'A7 Adwaidh Krichna S/a 5haiju K I(, Karwangatt &\flu L t< Kttayil House , Andikkadankuzhi,Vazhayur Farook College P.a , Malappuram, Farcok College Kera!a 673632. 8yrs Minor

Respondants R1 Madliusodarian K S/o Kolkedan Thupran Deputy Superi ntendent Of Police-residing rfq- SL at Midunam Malappuram Amsom Keezhmuri a3 sigriafurewi A ;ga,aL* [giv ' Desm Emad T&luk Maiappufam District -1-I R2Ri Say]ka , W/a Madhusoodanan residing atMidunamMalappuramAm5omKeezhmuri .2 + .) -3Afr?in, Desom Emad`Ta luk-Malappuram DistrictTsanhainTmrirw/iiLatKol-had;nviu, ~ \ Ncoradi, Vadakkemanna , Kedur Amsom \n,i::;fky Desom, Perinthalmanna Taluk , Malappuram District Pin 676504 R4i Sudhirf S/o Late Kolkedan Vasu , Nooradi, VadakkemaTma , Kodur Amsom De5om, Perinthalmanna Ta!uk , ..: .:. I .- . . . .. I. I, Malappuram District pin 676504 .^ .`_I.+ -` `.-u .' oL" .

atzrti=ti&drrmat fu i fro 9 . _ . : R5 Sunll , S/a Late Kolkadan Vasu ,) -i czre} lrocJ` Nooradi, Vadakkemanna , Kodur Amsom Besom, Perinthalmanna Taluk , Malappuram District Pin 676504 .3 L+ - ? - A ? 'R6 Suresh , S/e Late Ko!had3r] Vasu , Nooradi, Vadakkemanna , Kodur AiTtsom Dhair out \givQ.I Besom, Perintha]manna Taluk , Malappuram District Pin 676504 PLulary) I R7 Siidheesh, S/o late Kolkadan Vasu ,NooradiVadakkemannaKodurAmsom '. fE- `i 2* cJ3`ZD32 Besom, Perinthalmarma Taluk , Malappuram District Pin 676504 frthfflusfm. R8

Strylaiai , B/a Late Ko{kadan Vasu , Nooredi. Vadakkemanna , Kodur Amsom ",.,-`-? Besom, Perinthalmanna Taluk ,

rl R9

Malappuram District Pin 676504 Sindhu , D/a Late Kolkadan Vasu , Nooradi, nlca!a pj3 a 5_ Eb EL Vadakkemanna, kodur Amsom Besom , Perinthalmanna Taluk Malappuram District &ualf!f#m R10 Villodi Janakj, D/a VI!lodi ifendu a Appu , I * Malappuram Amsom keezhmuri Besom Emad Taluk , Malappuram District Expired. Rll Villodj Bhaskaran , S/a Vi}lodi Xandu @ Appu , Malappuram Amsom Keezhmuri Besom !_;-:..`.X.:+:::..:::. R12 Emad Taluk , Ma!appuram District . Villodi Leelavathy, D/o Villodi Kandu @ ' i g i v gir=,= a:g-i : , Appu , Malappuram Amsom Keezhmuri Desom Ernad Taluk, Malappuram Dlstrict. R13 VIltodj Raveendi.an , S/a Villodi Ka-ftdu @ Appu , Malappuram Amsom Keezhmuri Besom Emad Taltjk, Malappuram District. i Grra=*f=J R14 Villodi Karthiyani , W/o Villodi Krishnan , Malappuram Amsom Keezhmuri Desom . Emad Taluk , Matappuram District. Vrllodi Sasidharan , S/a Villodi Krishnan af' 7it< R15 Ma!appuram Amsom Keezhmuri Besom Emad Taluk, Malappuram District. t, Lu\ :-;i`\rtirtygiv_C- R16 Villodi Surendran , S/a VIIlodi Krishnan Malaquram Amsom Keezhmuri Desom I _ +rfu+T}ing Ernad Taluk, Mafappuram District R17 i Villodi Sulochana , D/o Vitledi Krishnan I 5fty r{TL3fatoz Malappuram Amsom KeezhmuTi Besom Emad Taluk, Malappuram District R18 Sreenivasan S/a Mathodi Kelu , Malappuram Amsom Keerhmuri Besom ==3=& th?V-`I Emad Taluk, ma!appuram E}istrict

2E#tl ir apxpefu rfu9#toupz~ fr#gr C _::#:k:I:;a;O:t:;;O::,a:,,:p:::TTpu; , ;;#jn i R20 I

- 1 L~+J\JB.-. r` R21 Suma , D/a Mannjl Ayyappankutty , Bus stand Hotel , Honavally P.a , Tiptur _tier_aLI Taltik, Kamataha State Pif` 572201 R22 Thankamani , D/a Mannil Atryapparikutty , I =_~,`T| -i_.i &u.`\,faaqav-I tq Bus stand Hotel , Honavally P.o , Tiptur ~ob Taluk, Kamataka State Pin

572201 RZ3 Raveendran , S/a Mannil Ayyappankutty , ..:.... .+-.J.+,:+`. h Bus stand Hotel , Honavally P.a . Tiptur Taluk, Kamataka State Pin 572201 C= -ch - -- R24 Baby, D/a Mannil AyyappanktJtty , =rteT=L=;a-_XPT..._. Bus stand Hotel , Honavally P.a , Tiptur ucr Taluk, Kamataka State Pin 572201 .

R25 Sindhu, D/a Mannil Ayyappankutty , =JLLcl*J-cO . t\ Bus stand Hotel , Honavally P.a , TipturTaluk,KamatahaStatePinS72201 `f.LS -i-, R26 Meenakshi , W/a Villodi Govindan , Valiyaparambu , Ma!ckaraparamba Am5om , Perinthathri Besom, PerinthalmannaTaluk , Binitha , D/cL V]llod: Govindan , I /1ffi.I i

R27 -`-, Va I iyaparamb u, Makkaraparamba Amsom , Perinthattiri Besom, 2;2T I a 3 / rm Perinthalmanna Taluk, Pin 676507 R28 Bineesh , S/a Villodj Gvindan , n+ giv Valivaparambu, Makka raparamba -=.i,.C=-3.,!TL Amsom , Perinthatlri Besom, Perinthalmanna Taluk Pin 676507 Fi29 Shanthafumari M ,W/o Balakrishnan P , Perumundayil House , Velloorp.a VIa Poakkottcor , Malappuram district.CounselforAppellants I fra&apJQQ3p_pS` I

Counsel for Respondants t ul I feofp3FH#sia i.L'ts? Advocate catJqu R`` ha fry - Ti==::i;.-:-:.ii[j.-- a \` to a8

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