

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.N.RAVINDRAN
&
THE HONOURABLE MR. JUSTICE P.B.SURESH KUMAR

FRIDAY, THE 10TH DAY OF OCTOBER 2014/18TH ASWINA, 1936

RFA.No. 717 of 2008 (F)

(AGAINST THE JUDGMENT IN OS 265/2006 of PRL.SUB COURT, THALASSERY
DATED 12-11-2007)

APPELLANT/PLAINTIFF:

STATE BANK OF TRAVANCORE, PERINGATHUR BRANCH,
REPRESENTED BY ITS PRINCIPAL OFFICER &
BRANCH MANAGER R.MOHANAN, S/O.RAGHAVAN, AGED 53 YEARS,
BRANCH MANAGER, STATE BANK OF TRAVANCORE
PERINGATHUR BRANCH, P.O.PERINGATHUR

BY ADV. SRI.R.SURENDRAN

RESPONDENTS/DEFENDANTS:

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1. PLAKSHMI, W/O.LATE GOPALAN,
AGED ABOUT 72 YEARS,
NO OCCUPATION, RESIDING AT PERIYANDIYIL HOUSE,
KARIYAD SOUTH.P.O, THALASSERY TALUK
KANNUR DISTRICT.
 2. MRS.BINDU, W/O.LATE HARIDASAN,
AGED ABOUT 37 YEARS, NO OCCUPATION, RESIDING AT
PERIYANDIYIL HOUSE, KARIYAD SOUTH.P.O,
THALASSERY TALUK, KANNUR DISTRICT.
 3. MISS.ABHINA, D/O.LATE HARIDASAN,
AGED 17 YEARS, (MINOR), RESIDING AT PERIYANDIYIL HOUSE
KARIYAD SOUTH.P.O, THALASSERY TALUK, KANNUR DISTRICT.
 4. MISS.ANJANA, D/O.LATE HARIDASAN,
AGED 15 YEARS, (MINOR), RESIDING AT PERIYANDIYIL HOUSE
KARIYAD SOUTH.P.O, THALASSERY TALUK, KANNUR DISTRICT.
 5. MISS.SANJUNA, D/O.LATE HARIDASAN,
AGED 12 YEARS, (MINOR), RESIDING AT PERIYANDIYIL HOUSE
KARIYAD SOUTH.P.O, THALASSERY TALUK, KANNUR DIST.

(THE RESPONDENTS/DEFENDANTS NO.3 TO 5 ARE MINORS AND
REPRESENTED THROUGH SMT.JASINA NARAYANAN, ADVOCATE,
THALASSERY, THE COURT GUARDIAN APPOINTED IN O.S.NO.265 OF 2006
AS PER ORDER DATED 9.1.2007)

THIS REGULAR FIRST APPEAL HAVING BEEN FINALLY HEARD ON 10-10-2014,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

P.N.RAVINDRAN & P.B.SURESH KUMAR, JJ.

R.F.A. No.717 of 2008

Dated this the 10th day of October, 2014

J U D G M E N T

P.N.Ravindran, J.

When this appeal came up for hearing today, Sri.R.Surendran, learned counsel appearing for the appellant submitted that the appellant has not remitted the court fee payable in full and has remitted only 1/3rd of the court fee. We accordingly direct that the appeal shall stand rejected for non-payment of the court fee in full. The court fee paid on the memorandum of appeal shall be refunded in the light of the decision of the Division Bench of this Court in **Jamal v. Mohammedkutty** (2003 (3) KLT 803).

**P.N.RAVINDRAN,
(JUDGE)**

**P.B.SURESH KUMAR,
(JUDGE)**

vps