

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE THOTTATHIL B.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE SUNIL THOMAS

THURSDAY, THE 4TH DAY OF JUNE 2015/14TH JYAISHTA, 1937

AS.No. 245 of 2003 ()

AGAINST THE JUDGMENT AND DECREE IN OS 285/1994 ON THE FILE OF
SUB COURT, PALAKKAD DATED 29-06-2002

APPELLANT(S) : /PLAINTIFF

SUBRAMANYAN, S/O.LATE MARUTHACHALAM,
AGED 45 YEARS, RESIDING AT BHARANI RICE MILL STREET,
H.S.NO.4/140, KURUPPANAYAKAM PALAYAM,
BHARANI TALUK, PERIYAR DISTRICT, TAMILNADU.

BY ADV. SRI.S.SANTHOSH
SMT.LISSY DEVASSY

RESPONDENT(S) : /DEFENDANTS

1. SUNDARAM, S/O.LATE MARUTHACHALAM,
ATED 63 YEARS, MANGAVU, KOPPAM AMSOM,
PALAKKAD.
2. VENKACHALAM, S/O.MARTHACHALAM, (DIED)
AGED 59 YEARS,
MANGAVU, KAPPAM AMSOM, PALAKKAD.
3. NACHAMMA, W/O.LATE KANDAN, AGED 63 YEARS,
MUNICIPAL LANE, KALMANDAPAM, KUNNANUR AMSOM,
PALAKKAD.

R2 BY ADV. SRI.T.C.SURESH MENON

THIS APPEAL SUITS HAVING BEEN FINALLY HEARD ON 04-06-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

THOTTATHIL B.RADHAKRISHNAN &
SUNIL THOMAS, JJ.

.....
A.S.No.245 of 2003
.....

Dated this the 4th day of June, 2015.

J U D G M E N T

Thottathil B.Radhakrishnan, J.

Service not complete on the first respondent. Second respondent died. No steps taken to implead the legal representatives of the deceased second respondent even though the death of second respondent on 26.01.2008 was reported on 13.03.2008. The matter stands defective. The appeal is, therefore, dismissed.

(THOTTATHIL B.RADHAKRISHNAN, JUDGE)

(SUNIL THOMAS, JUDGE)