

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.N. RAVINDRAN
&
THE HONOURABLE MR. JUSTICE ANIL K. NARENDRAN

WEDNESDAY, THE 18TH DAY OF MARCH 2015/27TH PHALGUNA, 1936

FAO.No. 78 of 2012 ()

AGAINST THE ORDER IN I.A.NO.4710/2011 IN OS 380/2010 of II ADDL.SUB
COURT, ERNAKULAM DATED 13-02-2012

APPELLANTS-RESPONDENTS-DEFENDANTS.:

1. M/S. JTL PROJECTS PRIVATE LTD.
33/2346-B, GEETHANJALI ROAD, VYTTILA P.O.
ERNAKULAM, KOCHI-682 019
REPRESENTED BY ITS MANAGING DIRECTOR MRS. LALY JOSEPH.
2. LALY JOSEPH
W/O. J. JOSEPH, MANAGING DIRECTOR
M/S. JTL PROJECTS (PRIVATE) LTD, GEETHANJALI ROAD
VYTTILA P.O., ERNAKULAM, KOCHI-682 019.
3. V.J. JOSEPH
RESIDING AT CC NO.33/2346-B, GEETHANJALI ROAD
VYTTILA P.O., ERNAKULAM, KOCHI-682 019.

BY ADVS. SRI S. EASWARAN
SRI. P. MURALEEDHARAN (IRIMPANAM)
SRI. M. A. AUGUSTINE

RESPONDENTS/PETITIONER/PLAINTIFFS:

1. M/S. TELIZ RELATORS
HAVING ITS OFFICE AT NO.26, M.G.NAGAR, PEROORKADA
THIRUVANANTHAPURAM
REPRESENTED BY ITS MANAGING PARTNER
PALLITHOTTATHU EASO THOMAS-695 001.
2. PALLITHOTTATHU EASO THOMAS @ P.E. THOMAS
S/O. P.T. EASO, RESIDING AT NO.26, M.G.NAGAR
PEROORKADA, THIRUVANANTHAPURAM-695 001.
3. SHEILA ELIZABETH THOMAS
W/O. PALLITHOTTATHU EASO THOMAS
RESIDING AT DO DO.
4. DR. GEORGE MATHEW
S/O. LATE REV. A.C. MATHEW, HOUSE NO.6
GREEN VALLEY VILLAS, VAZHAKKALA, BMC P.O

ERNAKULAM DISTRICT
REPRESENTED BY POWER OF ATTORNEY. HOLDER PALLITHOTTATHU EASO
THOMAS @ P.E.THOMAS
RESIDING AT DO DO

5. DR.NIRMALA GEORGE MATHEW
W/O.DR.GEORGE MATHEW, -DO- -DO-.

R1 BY ADV. SRI.S.V.BALAKRISHNA IYER (SR.)
R1 BY ADV. SRI.V.RENJITH KUMAR
R4,R5 BY ADV. SRI.THOMAS ABRAHAM
R4,R5 BY ADV. SMT.MERCIAMMA MATHEW
R4,R5 BY ADV. SRI.K.S.HARIDAS

THIS FIRST APPEAL FROM ORDERS HAVING BEEN FINALLY HEARD ON
18-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

P.N.RAVINDRAN & ANIL K.NARENDRAN, JJ.

F.A.O.No.78 OF 2012

DATED THIS THE 18th DAY OF MARCH, 2015

JUDGMENT

P.N.RAVINDRAN, J.

The appellants are the defendants in O.S.No.380 of 2010 on the file of the Court of the Second Additional Subordinate Judge of Ernakulam. In this appeal they challenge the order passed by the court below on 13.2.2012 allowing I.A.No.4710 of 2011, an application filed by the plaintiffs for an order directing them to furnish security for the plaint claim and ordering conditional attachment of the property scheduled to the application. The instant appeal was presented on 24.2.2012. It was admitted and notice ordered to the respondents on 27.2.2012. Later, the learned counsel appearing for the appellants relinquished his vakalath and thereupon notice was issued to the appellants from this Court by special messenger on 6.3.2015 with the hearing date fixed as 10.3.2015. Though the appellants have been served, when the appeal was called on for hearing today, none appeared on their behalf. The appellants are also not personally present in this Court. In such circumstances, the appeal is dismissed for non-prosecution. Registry to transmit the records back to the trial court.

Sd/-

P.N.RAVINDRAN, JUDGE

Sd/-

ANIL K.NARENDRAN, JUDGE

dsn