

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE ANTONY DOMINIC
&
THE HONOURABLE SMT. JUSTICE P.V.ASHA

FRIDAY, THE 11TH DAY OF SEPTEMBER 2015/20TH BHADRA, 1937

FAO.No. 110 of 2012 ()

AGAINST THE ORDER/JUDGMENT IN OS 16/2001 of PRL.SUB COURT,THRISSUR

APPELLANT IN FAO-APPLICANT IN EA -JUDGMENT-DEBTOR NO.6 :

ABOO
S/O.MOHAMMED HAJI, POOKKAKKILLATH HOUSE
159/9 KSHB COLONY, PULLAZHI VILLAGE AND DESOM
THRISSURDISTRICT. (DIED)

ADDL. APPELLANTS

- **2. SULEKHA,
W/O. BASHEER, MATHILAKATH HOUSE, PONMANIKUDAM,
DESOM, PERINJATHRA VILLAGE, KODUNGALLUR TALUK,
PIN: 680 686
- **3. SUBIDHA, W/O.ANIL,
"SWATHI", trial court.36/1325, WEST FORT,
VALLAKKADAVU P.O., THIRUVANANTHAPURAM-695 008
- **4. SOUDHA, W/O.ABOO,
P.B.NO.41881, SHARJAH, UAE,
NOW RESIDING AT CHIRAKKAL HOUSE, KSHB,
PULLAZHI P.O., THRISSUR.
- **5. MOHAMMED CHIRAKKAL, S/O.ABOO,
P.B.NO.41881, SHARJAH, UAE.,
REPRESENTED BY HIS POWER OF ATTORNEY SOUDHA,
APPLICANT NO.3, RESIDING AT CHIRAKKAL HOUSE, KSHB,
PULLAZHI P.O., THRISSUR.

** RESPONDENTS 3 TO 5 ARE TRANSPOSED AS ADDL.APPELLANTS 2 TO 4 VIDE
ORDER DATED 1.3.2013 IN IA 303/13 AND ADDL. APPELLANTS 2 TO 4 ARE
RECORDED AND ADDL. APPELLANT 5 IS IMPEADED AS LRS OF THE DECEASED
SOLE APPELLANT VIDE ORDER DATED 1.3.2013 IN IA 302/13.

BY ADVS.SRI.P.B.KRISHNAN
SMT.GEETHA P.MENON
SRI.N.AJITH
SRI.P.B.SUBRAMANYAN

RESPONDENTS IN FAO-RESPONDENT IN EA-DECREE-HOLDER AND JUDGMENT-
DEBTORS:

1. SUBRAMANIAN
S/O.SANKARAN, PULIAMBRA HOUSE
MULLASSERY VILLAGE AND DESOM, CHAVAKKAD, PIN - 680 506.

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2. RUGMINI
W/O.SUBRAMANIAN, IN DO. DO.

** 3. SULEKHA
W/O.BASHEER, MATHILAKATH HOUSE, PONMANIKUDAM DESOM
PERINJATHARA VILLAGE, KODUNGALLUR TALUK, IN - 680 686.

** 4. SUBAIDA
W/O.ANIL, "SWATHI", TC 36/1325
WEST FORT, VALLAKKADAVU P.O.
THIRUVANANTHAPURAM - 695 008.

** 5. SOUDHA
W/O.ABOO, PB.NO.41881, SHARJAH
U.A.E.

**RESPONDENTS 3 TO 5 ARE TRANSPOSED AS ADDL.APPELLANTS 2 TO 4 VIDE
ORDER DATED 1.3.13 IN IA 303/13.

R1 BY ADV. SRI.P.V.CHANDRA MOHAN

THIS FIRST APPEAL FROM ORDERS HAVING BEEN FINALLY HEARD ON
11-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

RKC

**ANTONY DOMINIC &
P.V.ASHA, JJ.**

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F.A.O.No.110 of 2012
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Dated this the 11th day of September, 2015

JUDGMENT

Antony Dominic, J

This appeal arises from the order in E.A.No.1189 of 2010 in E.P.No.405 of 2007 in O.S.No.16 of 2001 on the file of the Principal Sub Court, Thrissur. During the pendency of the appeal by order dated 26.6.2015 the matter was referred for mediation at the Ernakulam Mediation Centre (High Court). Accordingly the dispute was mediated and the parties have settled their disputes. On that basis they have filed compromise petition dated 21.8.15.

In the light of the above, this appeal is disposed of directing that the parties will be governed by the terms of the compromise petition dated 21.8.2015, which will form part of this judgment.

**ANTONY DOMINIC,
JUDGE.**

**P.V.ASHA,
JUDGE.**

rkc