

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.B.SURESH KUMAR

TUESDAY, THE 31ST DAY OF MARCH 2015/10TH CHAITHRA, 1937

FAO (RO).No. 327 of 2014

**AGAINST REVISED COMMON JUDGMENT IN A.S.NO.3/2010 OF THE
IIND ADDITIONAL DISTRICT COURT, PALAKKAD DATED 18-01-2014**

O.S.NO.277/2007 OF MUNISFF'S COURT, CHITTUR

APPELLANTS/RESPONDENTS /PLAINTIFFS :-

- 1. GOPI, S/O.LATE VASU,
CHEENIKODE,
CHATHAMANGALAM,
NEMMARA VILLAGE,
CHITTUR TALUK**
- 2. SASIKUMAR, S/O.LATE VASU,
CHEENIKODE,
CHATHAMANGALAM,
NEMMARA VILLAGE,
CHITTUR TALUK.**

BY ADV. SRI.RAJESH SIVARAMANKUTTY

RESPONDENT/APPELLANT/DEFENDANT :-

**MEHARJAN BEEBI,
W/O.PAKKEERJAN,
THEVARMANI,
POTHUNDI VILLAGE,
CHITTUR TALUK,
PALAKKAD DISTRICT - 678 001.**

R BY ADV. SRI.D.SREEKUMAR

**THIS FIRST APPEAL FROM ORDER - REMAND ORDER HAVING BEEN
FINALLY HEARD ON 31-03-2015, ALONG WITH FAO(RO)No. 329/2014,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

P.B. SURESH KUMAR, J

F.A.O(RO)Nos. 327 & 329 of 2014

Dated this the 31st day of March, 2015

JUDGMENT

The parties to these appeals have settled the disputes by recourse to mediation. The settlement arrived at by them at the mediation is part of the records. The term of settlement as incorporated in the memorandum of settlement reads thus;

1. The appellant and the respondent agreed to accept the Judgment dated 18.01.2014 in Appeal Suit No.3/2010 and Appeal Suit No.10/2010 of District Court, Palakkad. Both parties agreed to accept the extent of their land on the basis of the Old Survey Sketch and both of them agreed to accept the measurement of the land on the basis of the Commission Report dated 30.01.2015 in O.S.No.277/2007 of Munsiff's Court, Chittoor. The respondent is entitled to construct fence or wall on the boundaries of the property as per the plan in the above Commission Report. The appellant will not make any disturbance or obstruction to the respondent in the construction of fence or wall. The appellants agreed that they have no objection to the respondent to withdraw the amount of ₹10,000/- (Rupees Ten Thousand only) deposit in the District Court, Palakkad. The appellants have no objection to the respondent to rectify all the records in the

resurvey relating to her property as stated in the Commission Report above mentioned.

In the light of the said settlement, the suit O.S.No.277 of 2007 is disposed of in terms of the settlement arrived at the mediation. A copy of the memorandum of settlement shall be appended to this judgment and the original shall be incorporated in the records.

Sd/-
P.B. SURESH KUMAR
JUDGE

rkj

//TRUE COPY//

P.A. TO JUDGE