

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE ANTONY DOMINIC
&
THE HONOURABLE SMT.JUSTICE P.VASHA

FRIDAY, THE 16TH DAY OF OCTOBER 2015/24TH ASWINA, 1937

R.F.A.No. 410 of 2004 (E)

AGAINST THE ORDER/JUDGMENT IN O.S.7/1999 of DIST & SESSIONS COURT, ALAPPUZHA DATED 09-02-2004

APPELLANTS/DEFENDANTS 1, 2, 3 AND 5:

1. SRI.CHACKO THOMAS, PANCHARAYIL HOUSE, NEAR ANAND ASHRAM, CHANGANACHERRY.(DIED)
2. CHECHAMMA ANTONY, KAVALAPARAMBIL HOUSE, KONTHURUTHY, THEVARA, ERNAKULAM.
3. ACHAMMA CHACKO, THURUTHUMALIL, VILLOONNI, ARPPOOKARA P.O. MANNANAM.
4. THANKAMMA OOMMEN, NEDUMPARAYIL HOUSE, VILLOONNI, ARPOOKARA.

ADDL.A5.THANKAMMA THOMAS, W/O CHACKO THOMAS, PANCHARAYIL HOUSE,
NEAR ANAND ASHRAM, CHANGANACHERRY

ADDL.A6.ANISAMMA CHERIAN, D/O CHACKO THOMAS, PANCHARAYIL HOUSE,
NEAR ANAND ASHRAM, CHANGANACHERRY

ADDL.A7.CHACKO THOMAS, S/O CHACKO THOMAS, PANCHARAYIL HOUSE,
NEAR ANAND ASHRAM, CHANGANACHERRY

ADDL.A8.VAKACHAN THOMAS, S/O CHACKO THOMAS, PANCHARAYIL HOUSE,
NEAR ANAND ASHRAM, CHANGANACHERRY

ADDL.A9.MARIA SUNNY SEBASTIAN, D/O CHACKO THOMAS, PANCHARAYIL HOUSE,
NEAR ANAND ASHRAM, CHANGANACHERRY

*(Additional appellants 5 to 9 impleaded as the legal heirs of the deceased first
appellant vide order dated 7.9.2007 in I.A.No.3248/07)*

BY ADVS.SRI.SABU GEORGE
SRI.JOHN JOSEPH VETTIKAD
SRI.C.JOSEPH JOHNY

RESPONDENTS/PLAINTIFFS AND 4TH DEFENDANT:

1. ANIYAMMA JOSE, KANAKAMANGALAM, VELIYANADU, KUTTANAD.
2. JOSE CHACKO, DO. DO.
3. JOSE MATHEW, DO. DO.
4. JOSE K. JOSE, DO. DO.
5. NANCY JOJO, DO. DO.
6. THRESSIAMMA DEVASIA, KURISUMMOOTIL, ANAKALY, KANJIRAPPALLY

R,1,2,3,4,5. BY ADV.SRI.T.KRISHNAN UNNI (SR.)
R,R1,R2,R4,R5. BY ADV.SRI.T.R.HARIKUMAR
R,R15 BY ADV. SRI.K.S.HARIHARAPUTHRAN
R,R15 BY ADV. SRI.GEORGE MATHEW
R,R15 BY ADV. SRI.SUNIL KUMAR A.G
R1 TO R5 BY ADV.SRI.V.G.ARUN
R3 BY ADV.SRI.VARGHESE C.KURIAKOSE
R3 BY ADV.SRI.G.MANU KRISHNAN

THIS REGULAR FIRST APPEAL HAVING BEEN FINALLY HEARD ON 16-10-2015, THE COURT ON
THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC & P.V.ASHA, JJ.

R.F.A.No.410 of 2004

Dated this the 16th day of October, 2015

JUDGMENT

Antony Dominic, J.

Counsel for the appellant states that following the death of the 10th respondent though the appellants were instructed to furnish the details of the legal heirs of the tenth respondent, such details have not been furnished till date. In such circumstances, the appeal is dismissed for non prosecution.

SD/-
ANTONY DOMINIC
JUDGE

SD/-
P.V.ASHA
JUDGE

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