

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

TUESDAY, THE 27TH DAY OF OCTOBER 2015/5TH KARTHIKA, 1937

RFA.No. 411 of 2004

AGAINST THE JUDGMENT IN OS 5/1999 of DIST. & SESSIONS COURT,
ALAPPUZHA, DATED 09-02-2004

APPELLANTS/DEFENDANTS 2 TO 5:

1. SRI.CHACKO THOMAS, PANCHARAYIL HOUSE,
NEAR ANAND ASHRAM, CHANGANACHERRY. (DIED)
2. CHECHAMMA ANTONY, KAVALAPARAMBIL,
KONTHURUTHY, THEVARA, ERNAKULAM.
3. ACHAMMA CHACKO, THURUTHUMMALIL,
VILLOONNI, ARPOOKKARA P.O., MANNANOOR.
4. THANKAMMA OMMEN, NEDUMPARAYIL HOUSE,
VILLOONNI, ARPPOOKARA.

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

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

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

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

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

*(The first appellant died and the additional appellants 5 to 9 are impleaded as
the legal heirs of the first appellant as per the order in IA 3249/07 dated 10.9.2007)*

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

RESPONDENTS:

1. ANIYAMMA JOSE, VELIYANADU, KUTTANAD.

2. JOSE CHACKO, KANAKAMANGALAM, VELIYANADU, KUTTANAD.
3. JOSE MATHEW, KANAKAMANGALAM, VELIYANADU, KUTTANAD.
4. JOSE K. JOSE, KANAKAMANGALAM, VELIYANADU, KUTTANAD.
5. NANCY JOJO, KANAKAMANGALAM, VELIYANADU, KUTTANAD.
6. THRESISMMA DEVASIA, KURISUMMOOTIL, ANAKALY, KANJIRAPPALLY.
7. FEDERAL BANK, VELIYANADU BRANCH, VELIYANADU P.O.
8. POST MASTER, HEAD POST OFFICE, KOTTAYAM.

R,R8 BY ADV. SRI. JOHN VARGHESE, ASSISTANT SG
R,R7 BY ADV. SRI. JOHN JOSEPH (ROY)
R,R1 TO R5 BY ADV. SRI. T. KRISHNAN UNNI (SR.)
R,R1 TO R5 BY ADV. SRI. T. R. HARIKUMAR
R,R17 BY ADV. SRI. K. S. HARIHARAPUTHRAN
R,R17 BY ADV. SRI. GEORGE MATHEW
R,R17 BY ADV. SRI. SUNIL KUMAR A.G
R,R1-5 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 27-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC & P.V.ASHA, JJ.

R.F.A.No.411 of 2004

Dated this the 27st day of October, 2015

JUDGMENT

Antony Dominic, J.

It is seen that though the sixth respondent expired as early as on 1.9.2010, so far no steps have been taken to implead his legal heirs. According to the counsel, the reason thereof is that the details have not been furnished by the appellants so far.

In such circumstances, appeal is dismissed for non prosecution.

Sd/-
ANTONY DOMINIC
JUDGE

Sd/-
P.V.ASHA
JUDGE

jes

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P.A. to Judge