

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE MR.JUSTICE C.K.ABDUL REHIM
&
THE HONOURABLE MR. JUSTICE K.RAMAKRISHNAN**

TUESDAY, THE 26TH DAY OF MAY 2015/5TH JYAISHTA, 1937

Mat.Appeal.No. 219 of 2013 ()

OP(OS) 1055/2009 of FAMILY COURT, ALAPPUZHA

APPELLANTS/RESPONDENT :

- 1. SOORAJ MOHAN
S/O. SANTHA MOHAN, 26 J-2, SOWBHAGYA
ANRA 23(A), ALTHARA ROAD, SASTHAMANGALAM.P.O.
THIRUVANANTHAPURAM.**
- 2. SANTHA MOHAN
S/O. GANGADHARAN, 26 J-2, SOWBHAGYA
ANRA 23(A), ALTHARA ROAD, SASTHAMANGALAM.P.O.
THIRUVANANTHAPURAM.**
- 3. GEETHA MOHAN
W/O. SANTHA MOHAN, 26 J-2, SOWBHAGYA
ANRA 23(A), ALTHARA ROAD, SASTHAMANGALAM.P.O.
THIRUVANANTHAPURAM.**

Addl. APPELLANTS 4 & 5 IMPEADED :

- 4. MS. SANGEETHA MOHAN, D/O. LATE SANTHA MOHAN, SOWBHAGYA,
ANRA 23(A), ALTHARA ROAD, SASTHAMANGALAM P.O.,
THIRUVANANTHAPURAM NOW RESIDING AT 304 STELLAR DRIVE,
BEAR, DELAWARE - 19701, REPRESENTED BY THE POWER OF
ATTORNEY HOLDER HER MOTHER GEETHA MOHAN, W/O. LATE SANTHA
MOHAN 26-J-2, SOWBHAGYA, ANRA 23(A), ALTHARA ROAD,
SASTHAMANGALAM P.O., THIRUVANANTHAPURAM**
- 5. MS. SWAPNA MOHA, D/O. LATE SANTHA MOHAN, SOWBHAGYA, ANRA 23(A),
ALTHARA ROAD, SASTHAMANGALAM P.O., THIRUVANANTHAPURAM,
NOW RESIDING AT 135, SOUTH BARROW PLACE, PRINCETON,
NEW JERSEY, 08540, USA, REPRESENTED BY THE POWER OF ATTORNEY
HOLDER HER MOTHER GEETHA MOHAN, W/O. LATE SANTHA MOHAN 26-J-2,
SOWBHAGYA, ANRA 23(A), ALTHARA ROAD, SASTHAMANGALAM P.O.,
THIRUVANANTHAPURAM.**

**ADDL. APPEANTS 4 & 5 ARE IMPEADED AS PER ORDDER DT 8/4/2015 IN
IA 1269/2015 IN MA 2/9/2013**

BY ADV. SRI.B.MOHANLAL

Mat.Appeal.No. 219 of 2013 ()

RESPONDENT/PETITIONER :

**SUDHA LEKSHMI
W/O. SOORAJ MOHAN, SUDHA HOUSE
OPP. GOVERNMENT HOSPITAL, KAYAMKULAM.P.O.
ALAPPUZHA-690502.**

BY ADV. SRI.G.PRIYADARSAN THAMPI

**THIS MATRIMONIAL APPEAL HAVING BEEN FINALLY HEARD
ON 26-05-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

bp

**C.K. ABDUL REHIM, J.
&
K. RAMAKRISHNAN, J.**

Mat. Appeal No. 219 OF 2013

DATED THIS THE 26th DAY OF MAY, 2015

J U D G M E N T

K. Ramakrishnan, J:

When the appeal came up for hearing today counsel appearing for both sides submitted that entire litigation between the parties including the matter in appeal have been settled between the parties in the mediation held in one of the matters pending before the Family Court, Kollam. As per the mediation agreement, they have decided to separate and file an application for divorce by mutual consent under Section 13B of the Hindu Marriage Act and accordingly such an application has been filed and is pending and all other proceedings were agreed to be withdrawn. The counsel for the appellant submitted that in view of the settlement the appellants do not want to prosecute the appeal and appeal can be dismissed as withdrawn. So the above submission is recorded and the appeal is dismissed as withdrawn.

2. Since the matter has been settled between the parties and as per the terms of the agreement an amount of Rs.5,00,000/- deposited by the appellant before the Family Court, Alappuzha is permitted to be withdrawn by them and attachment order passed by the court below is also hereby vacated.

3. Registry is directed to communicate this order to the concerned court so as to inform the authorities regarding the lifting of the attachment.

Sd/-

C.K. ABDUL REHIM, JUDGE.

Sd/-

K. RAMAKRISHNAN, JUDGE.

AMG

True copy

P.A. to Judge