

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

WEDNESDAY, THE 24TH DAY OF JUNE 2015/3RD ASHADHA, 1937

Mat.Appeal.No. 616 of 2014 ()

O.P. NO. 349/2010 OF FAMILY COURT, MALAPPURAM.

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APPELLANT/RESPONDENT:-

**POOKKODAN AMINA, D/O.P.AHAMMED HAJI,
POOKKODAN, PULPATTA AMSOM,
THOTTEKKAD DESOM, ERNAD TALUK,
MALAPPURAM DISTRICT.**

**BY ADVS.SRI.B.MOHANLAL,
SRI.T.PRASAD.**

RESPONDENT/PETITIONER:-

**CHELAMBRA ALAVIKUTTY,
S/O.MUHAMMAD, CHELAMBRA,
PULPATTA AMSOM DESOM, THOTTEKKAD P.O.,
ERNAD TALUK, MALAPPURAM DISTRICT-686 539.**

BY ADV. SRI.P.VENUGOPAL.

**THIS MATRIMONIAL APPEAL HAVING BEEN FINALLY HEARD
ON 24-06-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

rs.

Mat.Appeal.No. 616 of 2014

APPENDIX

PETITIONER'S ANNEXURES:- **NIL.**

RESPONDENT'S ANNEXURES:-

**ANNEXURE A ORIGINAL OF THE AGREEMENT EXECUTED BETWEEN
THE APPELLANT AND THE RESPONDENT DATED 30/05/2015.**

//TRUE COPY//

P.S. TO JUDGE

rs.

C.K.ABDUL REHIM & K.RAMAKRISHNAN, JJ.

Mat Appeal.No. 616 of 2014

Dated this the 24th day of June, 2015

JUDGMENT

K.Ramakrishnan,J.

Respondent in OP.No.349/2010 on the file of the Family Court Malappuram is the appellant herein.

2. The said case was filed by the petitioner, respondent herein for partition of the plaint schedule property and after evidence, the Family Court passed the impugned decree and judgment ordering preliminary decree for partition dividing the property into two equal shares and one such share is allotted to the respondent herein. That is being challenged by the appellant in the appeal.

3. During the pendency of the appeal, the matter has been settled between the parties out of court. They filed I.A.No.2104/2015 to dispose of the appeal on the basis of the agreement which they produced along with the interlocutory application. Since the parties have settled the matter, the

interlocutory application is allowed. The decree and judgment passed by the court below is set aside and the appeal is disposed of in accordance with the terms of agreement entered into between the parties produced as Annexure-A in IA.No.2104/2015. Annexure-A will form part of this judgment. Communicate the order to the court below at the earliest.

C.K.ABDUL REHIM, JUDGE

K.RAMAKRISHNAN, JUDGE

Pmn/

