

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.K.MOHANAN

&

THE HONOURABLE MR. JUSTICE P.D.RAJAN

WEDNESDAY, THE 11TH DAY OF MARCH 2015/20TH PHALGUNA, 1936

Mat.Appeal.No. 804 of 2014 ()

AGAINST THE JUDGMENT IN OA 804/2011 of FAMILY COURT,
KOZHIKODE DATED 20-12-2012

APPELLANT(S)/RESPONDENT:

K.V.RETHEEBAI, AGED 62 YEARS
D/O. RARUKUTTY, 34/395 A, MADHURAVANAM ROAD
VENGERI VILLAGE, NEDUNGOTTUR AMSOM DESOM
KOZHIKODE TALUK.

BY ADVS.SRI.N.M.MADHU
SMT.C.S.RAJANI

RESPONDENT(S)/PETITIONER:

ALANGADAN PARERI A.P.SOMASUNDARAN, AGED 75 YEARS
S/O. NARAYANAN, 34/395 A, MADHURAVANAM ROAD
VENGERI VILLAGE, NEDUNGOTTU AMSOM DESOM
KOZHIKODE TALUK - 673 010.

BY ADV. SRI.K.B.SIVARAMAKRISHNAN
ADV. SRI.K.SANEESH KUMAR

THIS MATRIMONIAL APPEAL HAVING BEEN FINALLY HEARD ON 11-03-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ami/

V.K.MOHANAN & P.D.RAJAN, JJ.

Mat.Appeal.No.804 of 2014

Dated this the 11th day of March, 2015.

J U D G M E N T

Mohanan, J.

O.A.No.804/11 was filed before the Family court, Kozhikode, for a declaration that, the cancellation deed executed by the appellant herein as null and void. The above original application was filed by the respondent herein. The court below by judgment dated 20.12.2012 in O.A.No.804/11, allowed the said relief, against which, the respondent therein preferred the present appeal.

2. During the pendency of the above appeal, by order dated 19.11.2014, this Court referred the matter for mediation at the District Mediation Center, Kozhikode and the parties were directed to appear before the Mediation Center on 3.12.2014. Thereafter, the Co-ordinator - the Sub Judge, Kozhikode, as per his letter No.813/14/MC/KKD

dated 27.2.2015, forwarded a report of the Mediator to this Court for information and taking necessary action. As per the report of the Mediator, it is seen that there were 9 sittings during the mediation and finally, the entire matter has been settled and accordingly the Mediator along with the report furnished the memorandum of agreement submitted under section 89 of the CPC r/w Rule 24 of the Civil Rules of Practice (alternative dispute resolution) rules 2008 executed between the parties to the dispute, who are the appellant and respondent.

3. We have perused the memorandum of agreement which are signed by the appellant and the respondent and counter signed by the respective counsel. We are satisfied with the terms and conditions incorporated in the memorandum of agreement. The above referred memorandum of agreement forms part of this judgment. Accordingly, this appeal is disposed of in terms of the

memorandum of agreement arrived in between the parties
and accordingly a decree will be followed.

Sd/-
V.K.MOHANAN, Judge

Sd/-
P.D.RAJAN, Judge

ami/

//True copy//

P.A.to Judge