

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 1ST DAY OF JULY 2015/10TH ASHADHA, 1937

RSA.No. 294 of 2004 ()

AGAINST THE JUDGMENT AND DECREE IN AS 95/2000 of PRINCIPAL SUB COURT,
ALAPPUZHA DATED 26-02-2003.

AGAINST FINAL JUDGMENT AND DECREE IN I.A NO.5611/1982 IN OS 483/1962 of
PRINCIPAL MUNSIFF COURT, ALAPPUZHA DATED 29-06-1992.

APPELLANT/APPELLANT/ADDL.12TH DEFENDANT:

RAYIRAM RAJAPPA MENON,
VENU NIVAS, NORTH ARYAD MURI, ARYAD NORTH VILLAGE,
AMBALAPUZHA TALUK, ALAPPUZHA DISTRICT.[DIED]

- * ADDL.2. SANTHAKUMARI ,
WIDOW OF RAJAPPA MENON, VENU NIVAS,
NORT ARYAD MURI, ARYAD NORTH VILLAGE,
AMBALAPPUZHA TALUK, ALAPPUZHA DISTRICT.
- * 3. THANKAMMA, D/O.SANTHAKUMARI, - DO - HOUSE DO.DO.
[AS PER ORDER DATED 01.07.2015 IN IA 1481/2015 THE NAME
OF ADDITIONAL APPELLANT NO.3 IS CORRECTED AS 'THAKAMANY']
- * 4. BABY, D/O SANTHAKUMARI, DO HOUSE, -DO- -DO-
- * 5. VENU M.R, S/O LATE RAJAPPAN MENON, DO HOUSE -DO -DO-
- * ADDL.A2 TO A5 ARE IMPEADED AS LRS OF DECEASED APPELLANT AS
PER ORDER DATED 02.11.2009
IN IA 2786/08.

BY ADVS.DR.P.S.KRISHNA PILLAI.
SRI.H.VINOD.

RESPONDENTS/RESPONDENTS/DEFENDANTS 3 TO 11 AND
LRS OF ORIGINAL PLAINTIFF AND DEFENDANT 1 AND 2 :

- * 1. KARTHIYAYANI AMMA CHELLAMMA SUSEELA,
MANGALATH VEEDU, NORTH ARYAD MURI,
ARYAD NORTH VILLAGE (DIED)[STRUCK OFF]
- * 2. GOPALAN NAIR, VILAYIL VEEDU,
MANACADU SREEVARANAM KARA,
THIRUVANANTHAPURAM.[STRUCK OFF]
- * 3. SIVARAMA PILLAI MURALI,KAITHAKKATTUPARAMBU,
THEKKEVELIYIL, NORTH ARYAD MURI
ARYAD NORTH VILLAGE.[STRUCK OFF]

- * 4. SIVARAMA PILLAI BALACHANDRAN OF DO. DO. [STRUCK OFF]
- * 5. SARADA AMMA ANANDAVALLI AMMA OF DO. DO. [STRUCK OFF]
- * 6. SAROJINI AMMA W/O. CHELLAPPAN NAIR,
SREEVILASOM, NORTH ARYAD MURI,
KOMALAPURAM VILLAGE[STRUCK OFF]
- * 7. CHELLAPPAN NAIR SREEKUMAR OF DO. DO. [STRUCK OFF]
- * 8. SAROJINI AMMA JAYASREE OF DO. DO. [STRUCK OFF]
- * 9. CHELLAPPAN NAIR SRINIVAS OF DO. DO. [STRUCK OFF]
- * 10. CHELLAPPAN NAIR SASIKUMAR OF DO. DO. [STRUCK OFF]
- * 11. CHELLAMMA BHANUMATHI AMMA,
SUSEELAMANGALATHU, VADAKKAN ARYAD MURI,
KOMALAPURAM VILLAGE.[STRUCK OFF]
- * 12. CHELLAMMA CHANDRAMATHI AMMA, DO.[STRUCK OFF]
- * 13. CHELLAMMA PADMAVATHI AMMA, DO.[STRUCK OFF]
- * 14. CHELLAMMA KAMALAVATHI AMMA, DO.[STRUCK OFF]
- * 15. PARAMESWARAN PILLAI, SUSEELAN NAIR,DO.[STRUCK OFF]
- * 16. PARAMESWARAN PILLAI SREEKUMARAN NAIR, DO.[STRUCK OFF]
- 17. PARAMESWARAN PILLAI SASIDHARAN NAIR, DO.
- * 18. CHELLAMMA REMADEVI AMMA, DO. [STRUCK OFF]
- * 19. CHELLAMMA CHITHRAKUMARI, DO. [STRUCK OFF]
- * 20. CHELLAMMA PRASANNA KUMARI, DO. [STRUCK OFF]
- * 21. PARAMESWARAN PILLAI MURALEEDHARAN NAIR,DO.[STRUCK OFF]

* [ALL THE RESPONDENTS EXCEPT THE RESPONDENT NO.17 ARE STRUCK OFF FROM THE ARRAY OF PARTIES AT THE RISK OF THE APPELLANT VIDE ORDER DATED 09.01.2007 IN IA 2785/06.]

R17 BY ADVS. SRI.A.KRISHNAN.
SRI.CHERIYAN KURUVILLA.
SRI.V.SATHEESH.

THIS REGULAR SECOND APPEAL HAVING BEEN FINALLY HEARD ON 01-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

amk

A.HARIPRASAD, J.

R.S.A No.294 of 2004

Dated this the 1st day of July, 2015.

J U D G M E N T

Heard the learned counsel for the appellant. It is submitted that the matter has been settled in mediation.

2. I perused the report submitted by the mediator and also the memorandum of agreement duly executed by the parties and counsel under Section 89 C.P.C. The compromise arrived at between the parties is recorded. It shall form part of the judgment and decree. Hence, the appeal is dismissed in terms of compromise.

All pending interlocutory applications will stand dismissed.

**Sd/-
A.HARIPRASAD,
JUDGE.**

//True copy//

P.A to Judge