

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE THOTTATHIL B.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE SUNIL THOMAS

MONDAY, THE 1ST DAY OF JUNE 2015/11TH JYAISHTA, 1937

RFA.No. 121 of 2015 ()

AGAINST THE ORDER/JUDGMENT IN OS 835/2012 of II ADDL.SUB
COURT, THRISSUR DATED 01-01-2015

APPELLANT(S) : /PLAINTIFF

DEEPU CHACKO AGED 28 YEARS
S/O. THARAKAN SUNNY, RESIDING AT NEAR MUNDUPALAM
CHIIYARAM VILLAGE, THRISSUR TALUK.

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

RESPONDENT(S) /DEFENDANT:

ANNIE JOSE, AGED 54 YEARS
W/O. KINATTINGAL JOSE, RESIDING AT FATHIMA NAGAR
CHEMBUKAVU VILLAGE, THRISSUR TALUK
THRISSUR DISTRICT - 680 001.

THIS REGULAR FIRST APPEAL HAVING BEEN FINALLY HEARD
ON 01-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

THOTTATHIL B.RADHAKRISHNAN &
SUNIL THOMAS, JJ.

.....
R.F.A.No.121 of 2015
.....

Dated this the 1st day of June, 2015.

J U D G M E N T

Thottathil B.Radhakrishnan, J.

1.This appeal is against an order rejecting a plaint for non payment of balance court fee.

2.Heard.

We are satisfied that sufficient cause has been shown to set aside the impugned rejection of the plaint. We also record the submission that the matter would be settled before the court below. Under such circumstances, the appeal is allowed and the impugned order rejecting the plaint is set aside. The court below will, accordingly, take back the plaint to file and proceed with it, in accordance with law. Parties are directed to mark appearance before the court below on 22.06.2015.

(THOTTATHIL B.RADHAKRISHNAN, JUDGE)

(SUNIL THOMAS, JUDGE)