

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE T.R.RAMACHANDRAN NAIR
&

THE HONOURABLE MR. JUSTICE K.P.JYOTHINDRANATH

FRIDAY, THE 17TH DAY OF JULY 2015/26TH ASHADHA, 1937

RFA.No. 218 of 2015 (B)

AGAINST THE JUDGMENT IN OS 957/2011 of II ADDL.SUB COURT,ERNAKULAM
DATED 19-01-2013

APPELLANT/DEFENDANTS 1 TO 8:

1. SMT.MARY THOMAS AGED 78 YEARS
W/O.V O THOMAS, VENDRAPILLIL HOUSE, EROOR SOUTH
TRIPUNITHURA, ERNAKULAM DIST, PIN 682306

2. SMT.SARASA THOMAS AGED 56 YEARS
D/O LATE V.O.THOMAS
VENDRAPILLIL HOUSE, EROOR SOUTH, TRIPUNITHURA
ERNAKULAM DIST, PIN 682306

3. SMT.LISSY V T AGED 54 YEARS
D/O.LATE V O THOMAS, VENDRAPILLIL HOUSE, EROOR SOUTH
TRIPUNITHURA, ERNAKULAM DIST, PIN 682306

4. SMT SHEEBA V T AGED 52 YEARS
D/O.LATE V O THOMAS, VENDRAPILLIL HOUSE, EROOR SOUTH
TRIPUNITHURA, ERNAKULAM DIST, PIN 682306

5. SMT.ELIZABETH THOMAS AGED 49 YEARS
D/O.LATE V.O.THOMAS, VENDRAPILLIL HOUSE, EROOR SOUTH
TRIPUNITHURA, ERNAKULAM DIST, PIN 682306

6. SMT RINI THOMAS AGED 47 YEARS
D/O..LATE V.O. THOMAS, VENDRAPILLIL HOUSE, EROOR SOUTH
TRIPUNITHURA, ERNAKULAM DIST, PIN 682306

7. SMT.MINI THOMAS AGED 44 YEARS
D/O..LATE V.O.THOMAS, VENDRAPILLIL HOUSE, EROOR SOUTH
TRIPUNITHURA, ERNAKULAM DIST, PIN 682306

8. SMT.HELEN THOMAS AGED 41 YEARS
D/O..LATE V.O.THOMAS, VENDRAPPILLIL HOUSE, EROOR SOUTH
TRIPUNITHURA, ERNAKULAM DIST, PIN 682306

(APPELLANTS 1 & 3 TO 8 ARE REPRESENTED BY THEIR POWER OF
ATTORNEY HOLDER 2ND APPELLANT)

BY ADVS.SRI.K.L.NARASIMHAN
SRI.N.KRISHNA PRASAD

RESPONDENTS/PLAINTIFF & DEFENDANTS 9 TO 11:

1. SRI.REMANAN, AGED 49 YEARS
S/O.AYYAPPAN, THATTANPARAMBU, ST VINCENT CONVENT ROAD
PIPELINE, PALARAIVATTOM, KOCHI 25

2. M/S.MARUTI HABITAT & REALTORS INDIA PRIVATE LTD
XXI/327 C,
SHIVAM, IST FLOOR, WEST LAYAM ROAD
TRIPUNITHURA 682301
REP BY ITS MANAGING DIRECTOR V VENKITESWARAN

3. M/S.ROYAL TECH BUILDERS & INTERIORS
4C, BCG GOLDEN ORCHID, RUBY DALE
THAMMANAM , KOCHI 682032

4. ABDUL BASHEER, AGED 41 YEARS
S/O.ADIMAKUTTY, MANAGING PARTNER
M/S.ROYAL TECH BUILDERS & INTERIORS, 4C
BCG GOLDEN ORCHID, RUBY DALE, THAMMANAM
KOCHI 682032

R1 BY ADV. SRI.T.B.THANKAPPAN
R1 BY ADV. SRI.T.T.HARIKUMAR
R1 BY ADV. SRI.ASHISH VIDYADHARAN
R3,R4 BY ADV. SRI.LAL K.JOSEPH
R3,R4 BY ADV. SRI.A.A.ZIYAD RAHMAN
R3,R4 BY ADV. SRI.JOJO GEORGE
R3,R4 BY ADV. SRI.JOSEPH KURIAN VALLAMATTAM
R2 BY L.RAJESH NARAYAN

THIS REGULAR FIRST APPEAL HAVING BEEN FINALLY HEARD ON
17-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**T.R.RAMACHANDRAN NAIR &
K.P.JYOTHINDRANATH, JJ.**

R.F.A.No.218 OF 2015

Dated this the 17th day of July, 2015

JUDGMENT

Ramachandran Nair, J.

Pursuant to the mediation steps, the disputes between the parties have been settled. The appeal is therefore disposed of as settled and the terms and conditions in the mediation agreement will form part of the judgment and decree. It is submitted by the learned counsel on both sides that as far as the settlement agreement is concerned, the signatures of respondents 2 to 4 are not necessary for having the settlement. The report of the mediator shows that respondents 2, 3 and 4 are not necessary parties to the agreement. We record the same. It is seen that the appellants, first respondent as well as the counsel for the appellants and the first respondent have signed. The court fee paid on the memorandum of appeal will be refunded to the appellants.

T.R.RAMACHANDRAN NAIR, JUDGE

sv.

K.P.JYOTHINDRANATH, JUDGE