

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE T.R.RAMACHANDRAN NAIR

&

THE HONOURABLE MR. JUSTICE K.P.JYOTHINDRANATH

THURSDAY, THE 6TH DAY OF AUGUST 2015/15TH SRAVANA, 1937

RFA.No. 372 of 2014 ()

AGAINST THE JUDGMENT IN OS 417/2010 of II ADDL.SUB COURT,ERNAKULAM
DATED 30-03-2013

APPELLANTS/DEFENDANTS

1. KRISHNAKUMARI AGED 52 YEARS
W/O.LATE CHANDRASEKHARAN, RESIDING AT IV/566A
MARATH MADOM, UDAYAMPEROOR, POOTHOTTA P.O.
ERNAKULAM DISTRICT.

2. DHANYA AGED 23 YEARS
W/O.ANILKUMAR, KALAPPURAKKAL HOUSE, PERUMBALAM
ALAPPUZHA DISTRICT.

3. DIVYA AGED 21 YEARS
W/O.RAJESH, AYYAPPA NIVAS, EROOR
TRIPUNITHURA, ERNAKULAM DISTRICT.

4. DEEPA AGED 20 YEARS
D/O. LATE CHANDRASEKHARAN, RESIDING AT IV/566A
MARATH MADOM, UDAYAMPEROOR, POOTHOTTA P.O.
ERNAKULAM DISTRICT.

BY ADVS.SRI.M.P.KRISHNAN NAIR
SRI.V.B.NARAYANAN

RESPONDENT/PLAINTIFF

THANKAMMA, AGED 80 YEARS
W/O.ANANDAKRISHNAN EMBRANDHIRI, MARATH MADOM, POOTHOTTA
ERNAKULAM DISTRICT.

R1 BY ADV. SRI.DINESH R.SHENOY
R1 BY ADV. SRI.E.VIJIN KARTHIK
R1 BY ADV. SRI.H.KIRAN

THIS REGULAR FIRST APPEAL HAVING BEEN FINALLY HEARD ON
06-08-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

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

R.F.A.No.372 OF 2014

Dated this the 6th day of August, 2015

JUDGMENT

Ramachandran Nair, J.

The disputes between the parties have been settled as evident from the report of the Mediator.

2. The appeal is filed from the judgment and decree in O.S.No.417/2010 on the file of the II Additional Sub Court, Ernakulam. The appellants are the defendants and the sole respondent is the plaintiff.

3. We dispose of the appeal as settled and the terms of settlement will form part of the judgment and decree. In the settlement agreement, apart from the parties in this appeal, two other parties shown as petitioners 6 and 7 have also signed and the Mediator in his report has stated that even though they are not parties in this appeal, they have affixed their signature. It is submitted by the learned counsel for the appellants that they are parties in the connected suit which is

pending before the Munsiff's Court, Ernakulam and all the disputes between the parties in various cases have been settled through this mediation settlement agreement.

The plan appended to the agreement will form part of the decree.
The parties will bear their costs.

T.R.RAMACHANDRAN NAIR, JUDGE

K.P.JYOTHINDRANATH,JUDGE

SV.