

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE ANTONY DOMINIC
&
THE HONOURABLE SMT. JUSTICE P.VASHA

MONDAY, THE 9TH DAY OF NOVEMBER 2015/18TH KARTHIKA, 1937

RFA.No. 557 of 2014

AGAINST THE JUDGMENT IN OS 59/2010 of SUB COURT, KATTAPPANA DATED 19.3.2013

APPELLANT/2ND DEFENDANT:

MEMA THOMAS AGED 46 YEARS
D/O.THOMAS, PAZHATHUVAYALIL HOUSE, MURIKKADI KARA
KUMILI VILLAGE, PEERUMEDU TALUK

BY ADVS.SRI.K.K.CHANDRAN PILLAI (SR.)
SRI.THOMAS JAMES MUNDACKAL
SRI.ARUN ANTONY
SMT.SAMBILY
SMT.K.V.SHENU

RESPONDENTS/PLAINTIFF/1ST DEFENDANT:

1. C.C. CHOLAIRAJ, AGED 55 YEARS
S/O.CHINNATHEVAR, NO 19/42, NORTH CAR STREET
MELEGUDALLOOR, UTHAMAPALAYAM TALUK
TAMILNADU, PIN 625 533
2. T.KSIVALINGAM, S/O.K.KRISHNAN, KICHOOS HOUSE,
KONGANIPADAVU, KUMILI VILLAGE,
PEERUMEDU TALUK 685 509, AGED 46 YEARS
(Respondent No.2 is deleted from the party array at the risk of the
appellant vide order dated 8.10.2015 in I.A.2078/15)

R1 BY ADV. SRI.A.C.DEVASIA

THIS REGULAR FIRST APPEAL HAVING BEEN FINALLY HEARD ON 09-11-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC & P.V.ASHA, JJ.

R.F.ANo.557 of 2014

Dated this the 9th day of November, 2015

JUDGMENT

Antony Dominic, J.

This appeal is filed by the second defendant in O.S.59/2010, challenging the judgment and decree dated 19.3.2013 rendered by the Sub Court, Kattappana. By order dated 14th October, 2015, the appeal was referred for mediation. Accordingly, at the Ernakulam Mediation Centre the parties have entered into memorandum of agreement dated 28th October, 2015 settling the disputes.

In the light of the settlement thus arrived at, this appeal is disposed of directing that the parties will be governed by the terms of the settlement and the decree will stand modified accordingly. The appellant will be entitled to refund of court fee paid in the appeal.

Sd/-
ANTONY DOMINIC
JUDGE

Sd/-
P.V.ASHA
JUDGE

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