

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 25TH DAY OF MAY 2015/4TH JYAISHTA, 19372

RSA.No. 185 of 2015 ()

**AGAINST THE JUDGMENT AND DECREE IN AS 16/2013 of ADDL. DISTRICT COUR - III,
KOZHIKODE DATED 06-11-2014.**

**AGAINST THE JUDGMENT IN OS 555/2011 of ADDL.MUNSIFF'S COURT II,KOZHIKODE
DATED 09-10-2012.**

APPELLANT/APPELLANT/DEFENDANT:

**C.AZEEZ, AGED 45 YEARS,
S/O.ABOOBACKER, CHEKKINTAKATH HOUSE, NEAR COIR FACTORY,
POST BEYPORE, BEYPORE AMSOM DESOM, KOZHIKODE TALUK.**

BY ADV. SRI.C.M.MOHAMMED IQUABAL.

RESPONDENTS/RESPONDENTS/PLAINTIFFS:

- 1. SWARNALATHA, AGED 51 YEARS,
W/O.THALIYADATH GOPALA @ BABU, "LIBIN NIVAS",
BYPORE AMSOM DESOM, KOZHIKODE TALUK.**
- 2. BABITHA, AGED 31 YEARS,
D/O.THALIYADATH GOPALAN @ BABU,
"KADAPPAYIL HOUSE", BEYPORE AMSOM DESOM.
KOZHIKODE TALUK.**
- 3. SHIBITHA, AGED 30 YEARS,
D/O.THALIYADATH GOPALAN @ BABU,
"VELLAPPALI HOUSE", BEYPORE AMSOM DESOM,
KOZHIKODE TALUK.**
- 4. LIBIN, S/O.THALIYADATH GOPALAN @ BABU, AGED 29 YEARS,
"LIBIN NIVAS", BEYPORE AMSOM DESOM, KOZHIKODE TALUK.**
- 5. NIBITHA, AGED 27 YEARS,
D/O.THALIYADATH GOPALAN @ BABU,
"VELLAYIKKOT HOUSE", BEYPORE AMSOM DESOM,
KOZHIKODE TALUK.**

**R1 BY ADVS. SRI.K.M.FIROZ
SMT.M.SHAJNA
SRI.S.KANNAN**

**THIS REGULAR SECOND APPEAL HAVING BEEN FINALLY HEARD ON
25-05-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

amk

A.HARIPRASAD, J.

R.S.A No.185 of 2015

Dated this the 25th day of May, 2015.

J U D G M E N T

Learned counsel submitted that in spite of contacting the parties through letter, they did not turn up. The matter again comes up in the defect list. Defect not cured. Hence the regular second appeal is dismissed for default.

All pending interlocutory applications will stand dismissed.

**A.HARIPRASAD,
JUDGE.**

amk