

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.B.SURESH KUMAR

WEDNESDAY, THE 16TH DAY OF SEPTEMBER 2015/25TH BHADRA, 1937

RSA.No. 524 of 2015 ()

AS.NO. 162/2009 OF ADDL.DISTRICT COURT- I, MAVELIKARA DATED 16/12/2014
OS.NO. 79/2001 OF MUNSIF COURT, HARIPAD DATED 27/03/2009

APPELLANT/IST RESPONDENT/IST PLAINTIFF :

SASIDHARAN, AGED 61 YEARS
S/O MADHAVAN, RESIDING AT THOTTUKADAVIL VEETIL
THAMALLAKKAL THEKKUM MURI, KUMARAPURAM VILLAGE.

BY ADVS.SRI.JOHNSON MANAYANI
SRI.JEEVAN MATHEW MANAYANI

RESPONDENTS/APPELLANTS/DEFENDANTS:

1. SREE DURGA DEVI TEMPLE
THOTTUKADAVU, THAMALLAKKAL THEKKUM MURI
KUMARAPURAM VILLAGE
REPRESENTED BY ITS PRESENT PRESIDENT K. RAJU
AGED 45 YEARS, RESIDING AT POYKAYIL
THULAMPARAMPU P.O., HARIPAD-690514.
2. DEVASWOM SECRETARY (PRESENT)
SREEKUMAR, AGED 38 YEARS
RESIDING AT SREE RENGATHU, KUMARAPURAM P.O.
KOOTTAMKAITHA, HARIPAD-690514.
3. RAMESAN,
S/O. KRISHNAN, AGED 58 YEARS
SAJINI BHAVANATHU (PUTHENKATTIL PADEETTATHIL)
ERIKKAVU MURI, KUMARAPURAM VILLAGE-690548.
4. CHANDRAN, AGED 36 YEARS
S/O. PACHU, RESIDING AT RENJITH BHAVAN
THAMALLAKKAL THEKKUM MURI OF DO. DO.- 690548.
5. KRISHNAN KUTTY,
S/O. PACHU, AGED 58 YEARS
RESIDING AT THIRUVASSERIL PADEETTATHIL OF DO. DO. -690548.
6. BHASURAN,
S/O. VASU, AGED 52 YEARS
RESIDING AT THOTTUKADAVIL VEETIL OF DO. DO. - 690548..

R1 & R2 BY ADV. SRI.K.SUBASH CHANDRA BOSE

THIS REGULAR SECOND APPEAL HAVING COME UP FOR ADMISSION
ON 16-09-2015, ALONG WITH RSA NO.527/2015, THE COURT ON THE SAME
DAY DELIVERED THE FOLLOWING:

P.B.SURESH KUMAR, J.

R.S.A.Nos.524 & 527 of 2015

Dated this the 16th day of September, 2015

JUDGMENT

The learned counsel for the appellants submits that they may be permitted to withdraw the second appeals without prejudice to the right of the appellants to institute appeals against the common judgment impugned in these appeals, as provided for under Order XLIII Rule (1)(u) of the Code of Civil Procedure.

In the peculiar facts and circumstances of this case, the appellants are permitted to withdraw the second appeals without prejudice to their right to file appeals against the impugned common judgment, as provided for under Order XLIII Rule (1)(u) of the Code of Civil Procedure. The registry is directed to return the certified copies of the judgments impugned in these appeals to the appellants.

P.B.SURESH KUMAR, JUDGE.

smm