

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.B.SURESH KUMAR

WEDNESDAY, THE 7TH DAY OF OCTOBER 2015/15TH ASWINA, 1937

RSA.No. 562 of 2015 ()

**AGAINST THE ORDER IN IA NO. 1457/2012 IN AS NO. 19/2013 OF SUB COURT, KOCHI-5
DATED 7/1/2015**

**AGAINST THE DECREE & JUDGMENT IN AS NO. 19/2013 OF SUB COURT, KOCHI-5
DATED 7/1/2015**

**AGAINST THE JUDGMENT & DECREE IN OS.NO. 101/2008 OF PRINCIPAL MUNSIF
COURT, KOCHI DATED 18-11-2008**

APPELLANT/APPELLANT & PETITIONER/1ST DEFENDANT :

**M.J.GOERGE, AGED 71 YEARS
S/O. LATE JOSEPH, MATHIRAPPILLIL HOUSE, KARTHEDOM
MALIPURAM P.O., ERNAKULAM - 682 511.**

BY ADV. SRI.T.N.SURESH

RESPONDENTS/RESPONDENTS/PLAINTIFF & DEFENDANTS 2 TO 5:

**1. C.V.ANTONY, AGED 62 YEARS
S/O. LATE VARUTHUKUTTY, CHERUKODATHU HOUSE, KARTHEDOM
ELAMKUNNAPUZHA VILLAGE, MALIPURAM P.O.,
ERNAKULAM DISTRICT -682 511.**

**2. T.A. GEORGE, AGED 61 YEARS
S/O. LATE ANTONY, THENGASSERY HOUSE, KARTHEDOM,
ELAMKUNNAPUZHA VILLAGE, MALIPURAM P.O.,
ERNAKULAM DISTRICT -682 511.**

**3. MATHEW LINCOLN ROY, AGED 52 YEARS
DIAMOND, MATTUPURATH HOUSE, KARTHEDOM
ELAMKUNNAPUZHA VILLAGE, MALIPURAM P.O.,
ERNAKULAM DISTRICT -682 511.**

**4. JOSEPH JOY
S/O. JISSA, AGED 66 YEARS,
KATTASSERY HOUSE, KARTHEDOM
ELAMKUNNAPUZHA VILLAGE, MALIPURAM P.O.,
ERNAKULAM DISTRICT -682 511.**

**5. M.G. JAMES, AGED 48 YEARS
S/O. GEORGE, THAIKKAL HOUSE, KARTHEDOM
ELAMKUNNAPUZHA VILLAGE, MALIPURAM P.O.,
ERNAKULAM DISTRICT -682 511**

R1 BY ADV. SRI.C.V.ANTONY (PARTY-IN-PERSON)

**THIS REGULAR SECOND APPEAL HAVING COME UP FOR ADMISSION
ON 07-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

P.B.SURESH KUMAR, J.

R.S.A.No.562 of 2015

Dated this the 7th day of October, 2015

JUDGMENT

The parties to this Second Appeal have settled their disputes by recourse to mediation. The memorandum of settlement arrived at by them at the mediation is part of the records.

2. In the light of the settlement arrived at by the parties at the mediation, the impugned decisions of the courts below are set aside and the suit O.S.No.101 of 2008 on the file of the Munsiff Court, Kochi is disposed of in terms of the settlement. A copy of the memorandum of settlement arrived at by the parties at the mediation shall be appended to this judgment and the original shall be preserved.

P.B.SURESH KUMAR, JUDGE.

smm