

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.B.SURESH KUMAR

TUESDAY, THE 29TH DAY OF SEPTEMBER 2015/7TH ASWINA, 1937

RSA.No. 707 of 2015

**OS 78/2000 OF MUNSIFF MAGISTRATE COURT, COURT, PATTAMBI
AS 42/2006 OF SUB COURT, OTTAPPALAM, DATED 31-01-2015**

APPELLANT(S)/APPELLANTS/PLAINTIFFS 2 & 3:

1. MUHAMMED @ MANU, AGED 56 YEARS,
S/O. LATE MUHAMMED, ATHANIKPARAMBIL,
CHALLISSERY AMSOM DESOM, OTTAPPALAM TALUK.
2. SAFIA, AGED 41 YEARS,
D/O. LATE MUHAMMED, ATHANIKPARAMBIL,
CHALLISSERY AMSOM DESOM, OTTAPPALAM TALUK.

BY ADV. SRI.RAJIT

RESPONDENT(S)/RESPONDENTS/DEFENDANTS:

1. UMMOOTTI UMMA, AGED 59 YEARS,
W/O. PAYYURU VALAPPIL KUNHUMON,
CHALLISSERY AMSOM DESOM, OTTAPPALAM TALUK-679536.
2. UMMER, AGED 54 YEARS,
S/O. PULAKATH MOIDU, THRITHALA AMSOM AND DESOM,
OTTAPPALAM TALUK-679534.
3. BIYYUMMA, AGED 82 YEARS,
W/O. ATHANI PARAMBIL LATE MUHAMMED,
CHALLISSERY AMSOM DESOM,
OTTAPPALAM TALUK-678536.

R1,R2 BY ADV. SRI.V.V.JOY

**THIS REGULAR SECOND APPEAL HAVING BEEN FINALLY HEARD
ON 29-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

P.B.SURESH KUMAR, J.

R.S.A.No.707 of 2015

Dated this the 29th day of September, 2015

JUDGMENT

The disputes between the parties in the second appeal have been settled out of court and a compromise petition has been filed by the parties.

2. In the light of the compromise arrived at between the parties, the judgments impugned in this second appeal are set aside and the suit O.S.No.78 of 2000 on the file of the Munsiff Court, Pattambi is disposed of in terms of the compromise. A copy of the compromise petition shall be appended to this judgment. In the light of the compromise arrived at between the parties, one half of the court fee paid by the appellants shall be refunded to them.

The appeal is disposed of as above. All the interlocutory applications in the appeal are closed.

P.B.SURESH KUMAR, JUDGE.

smm