

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 22ND DAY OF JUNE 2015/1ST ASHADHA, 1937

RSA.No. 1261 of 2014 ()

**AGAINST THE JUDGMENT AND DECREE IN AS 51/2012 of SUB COURT,
PERUMBAVOOR DATED 27-09-2014.**

**AGAINST THE JUDGMENT AND DECREE IN OS 2/2007 of MUNSIF COURT,
PERUMBAVOOR DATED 28-02-2012.**

APPELLANT(S)/RESPONDENT/PLAINTIFF:

**JOY, AGED 59 YEARS,
S/O.CHACKO, CHIRACKAL HOUSE, MUDAKKUZHA KARA,
MUDAKKUZHA P.O., VENGOOR WEST VILLAGE,
ERNAKULAM DISTRICT. PIN - 683 546.**

**BY ADVS.SRI.T.K.SAJEEV.
SRI.R.PARAMESWARA IYER.**

RESPONDENT(S)/APPELLANTS/DEFENDANTS:

**1. MATHAI, AGED 53 YEARS,
S/O.CHACKO, CHIRACKAL HOUSE, MUDAKKUZHA KARA,
MUDAKKUZHA P.O., VENGOOR WEST VILLAGE,
ERNAKULAM DISTRICT. PIN - 683 546.**

**2. LISSY MATHAI, AGED 42 YEARS,
W/O.MATHAI, CHIRACKAL HOUSE, MUDAKKUZHA KARA,
MUDAKKUZHA P.O., VENGOOR WEST VILLAGE,
ERNAKULAM DISTRICT. PIN - 683 546.**

BY ADV. SRI.T.RAJASEKHARAN.

**THIS REGULAR SECOND APPEAL HAVING BEEN FINALLY HEARD ON
22-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

amk

A.HARIPRASAD, J.

R.S.A No.1261 of 2014

Dated this the 22nd day of June, 2015.

J U D G M E N T

Heard the learned counsel for the appellant and the learned counsel for the contesting respondents. Counsel on both sides submitted that the disputes between the parties have been settled in a mediation. A report submitted by the mediator dated 16-06-2015 is produced. Along with the report, a memorandum of agreement signed between the parties and the respective counsel is also produced. As per the terms of the memorandum, apart from the agreements relating to construction of compound wall, there is another agreement between the parties to revive the decree of prohibitory injunction passed by the trial court in the suit on 28-02-2012. The memorandum of settlement is recorded. A decree is passed in terms of the compromise. The compromise shall form part of the decree.

All pending interlocutory applications will stand dismissed.

**A.HARIPRASAD,
JUDGE.**