

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

FRIDAY, THE 18TH DAY OF SEPTEMBER 2015/27TH BHADRA, 1937

SA.No.407 of 2001 (F)

AGAINST THE JUDGMENT IN AS 148/1999 of I ADDL.DISTRICT COURT,
PALAKKAD DATED 19.3.2001

AGAINST THE JUDGMENT IN OS 200/1983 of MUNSIFF COURT, CHITTUR DATED
10-06-1999

APPELLANT/APPELLANT/DEFENDANT:

M.A.ANTHONYSWAMY, S/O.CHIRAPIDIYAN **(DIED)**
AROGYASWAMY, AGED 69 YEARS,
AMBATTUPALAYAM, CHITTUR VILLAGE,
CHITTUR TALUK, PALAKKAD DISTRICT.

RESPONDENTS/RESPONDENTS/PLAINTIFFS:

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1. DR.M.AMBROSE, S/O.MADALAMUTHU,
AGED 73 YEARS, REPRESENTING
COIMBATORE DIOCESE SOCIETY,
COIMBATORE TALUK, COIMBATORE DISTRICT.
 2. REV.FR.C.A.GEORGE, S/O.ANTHONY,
AGED 73 YEARS, VIKARI ST.ANTHONY'S CHURCH,
AMBATTUPALAYAM, CHITTUR VILLAGE,
CHITTUR TALUK, PALAKKAD DISTRICT.

R1 & R2 BY ADV. SRI.D.KRISHNA PRASAD
R1 & R2 BY ADV. SRI.JOJI VARGHESE
R1 & R2 BY ADV. SRI.M.HARISHARMA

THIS SECOND APPEAL HAVING BEEN FINALLY HEARD ON 18-09-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ALEXANDER THOMAS, J.

S.A.No.407 Of 2001

Dated this the 18th day of September, 2015.

J U D G M E N T

On 31.8.2015 it was brought to the notice of this Court that Sri.C.Raghavan, learned counsel for the appellant in the Second Appeal is no more. It was also pointed out by Sri.D.Krishnaprasad, learned counsel for the respondents 1 & 2 that the matter was settled to the best satisfaction of both sides. Since notice was ordered to the appellant directly as his counsel is no more, now after issuance of service of notice, it is now reported that the notice issued by this Court in pursuance of the order dated 31.8.2015 has been returned stating that he is “deceased”. In view of this aspect, today, none appears on behalf of the appellant.

Accordingly, this Second Appeal is dismissed for non-prosecution.

ALEXANDER THOMAS,
Judge.

bkn/-