

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 30TH DAY OF JANUARY 2015/10TH MAGHA, 1936

SA.No. 904 of 2001 ()

AGAINST THE JUDGMENT IN A.S.NO. 95/2000 of II ADDITIONAL SUB COURT,THRISSUR
DATED 18.06.2001

AGAINST THE JUDGMENT IN O.S.NO.49/1996 of MUNSIF COURT, WADAKANCHERY
DATED 30.08.1997

APPELLANT(S)/DEFENDANTS/APPELLANTS:

1. K.V.BALAKRISHNAN, SON OF VELAYUDHAN, KARUVAN VEETIL,
VALLATHOL NAGAR, CHERUTHURUTHY VILLAGE,
P.O.CHERUTHURUTHY, THALAPPILLY TALUK, THRISSUR DISTRICT.
- *2. C.V.JACOB, SON OF CHAKKALAMUTTAH VARALAN VAREED,
CHERUTHURUTHY VILLAGE, P.O.CHERUTHURUTHY,
THALAPPILLY TALUK, THRISSUR DISTRICT.(LRS IMPEADED)

*ADDL.APPELLANTS:

ADDL.APPELLANT NO.3. C.A.ROSA, W/O.LATE C.V.JACOB,
CHAKKALAMUTTATH HOUSE,
POST CHERUTHURUTHY, THRISSUR DISTRICT.

ADDL.APPELLANT NO.4. MINI C.J., D/O.LATE C.V.JACOB,
CHAKKALAMUTTATH HOUSE,
POST CHERUTHURUTHY, THRISSUR DISTRICT.

ADDL.APPELLANT NO.5. MANOJ ANTONY, S/O.LATE C.V.JACOB,
CHAKKALAMUTTATH HOUSE,
POST CHERUTHURUTHY, THRISSUR DISTRICT.

ADDL.APPELLANT NO.6. YESUDAS C.J., S/O.LATE C.V.JACOB,
CHAKKALAMUTTATH HOUSE,
POST CHERUTHURUTHY, THRISSUR DISTRICT.

THE LEGAL REPRESENTATIVES OF DECEASED APPELLANT NO.2 ARE IMPEADED AS
ADDITIONAL APPELLANTS 3 TO 6 AS PER SEPARATE ORDER DATED 2.6.2004 IN IA
NO.382/2004.

A1 BY ADVS.SMT.PREETHY KARUNAKARAN
SRI.R.RAJESH KORMATH
SMT.BIJIMOL JOSE

ADDL.A3 TO A6 BY ADVS.SRI.R.RAJESH KORMATH
SMT.MEENA.A.
SMT.SANJANA R.NAIR
SRI.JAYKAR.K.S.
SRI.RAHUL VARMA
SRI.V.S.ROBIN

RESPONDENT(S)/PLAINTIFF/RESPONDENT:

KRISHNANKUTTY, SON OF THANISSERI KRISHNAN,
PANJAL VILLAGE, P.O.PAINKULAM,
VIA.CHERUTHURUTHY, THALAPPILLY TALUK,
THRISSUR DISTRICT.

BY ADV. SRI.ASOK M.CHERIYAN

THIS SECOND APPEAL HAVING BEEN FINALLY HEARD ON 30-01-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.HARIPRASAD, J.

S.A. No.904 of 2001

Dated this the 30th day of January, 2015

JUDGMENT

In spite of giving opportunities, no step was taken to implead the legal heirs of deceased 1st appellant. Learned counsel submitted that though he contacted the parties, they did not turn up. The matter comes up in the defect list. Hence the appeal is dismissed for default.

A. HARIPRASAD, JUDGE.

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A.Hariprasad, J.

S.A.No.904 of 2001

JUDGMENT

30th January, 2015