

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

TUESDAY, THE 15TH DAY OF SEPTEMBER 2015/24TH BHADRA, 1937

SA.No.968 of 2001 (F)

-----  
AGAINST THE JUDGMENT IN AS 59/2000 of PRINCIPAL SUB COURT, ALAPPUZHA  
DATED 05-09-2001

AGAINST THE JUDGMENT IN OS 292/1993 of ADDL.MUNSIFF COURT, ALAPPUZHA  
DATED 30-10-1995

APPELLANT/RESPONDENT IN A.S.59/2000/PLAINTIFF IN O.S.292/1993:

-----  
VELU DAMODHARAN, KANNERUKATTIL VEETIL, (DIED)  
PERUMTHURUTH MURI, MANNANCHERRY VILLAGE.

BY ADVS.SRI.R.LAKSHMI NARAYAN  
SMT.R.RANJANIE

RESPONDENT/APPELLANT IN A.S.59/2000/DEFENDANT IN O.S.292/1993:

-----  
PADMANABHAN SATHEESHAN,  
KANNERUKATTIL VEETIL,  
PERUMTHURUTH MURI, MANNANCHERRY VILLAGE.

BY ADV. SMT.C.G.BINDU  
BY ADV. SMT.C.G.AJITHA

THIS SECOND APPEAL HAVING BEEN FINALLY HEARD ON 15-09-2015,  
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ALEXANDER THOMAS, J.

-----  
S.A.No.968 Of 2001  
-----

Dated this the 15<sup>th</sup> day of September, 2015.

J U D G M E N T

Sri.R. Lakshmi Narayan, learned counsel for the appellant, submits that the appellant is no more and that despite diligent efforts, he could not secure any instructions whether the legal representatives of the deceased appellant are available and whether they are interested to prosecute the matter further, etc., and that in view of these aspects, the appeal may be closed for non-prosecution.

In the light of this submission made by the learned counsel appearing for the appellant, this Second Appeal is dismissed for non-prosecution.

ALEXANDER THOMAS,  
Judge.

bkn/-