IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE M.A.ABDUL HAKHIM

THURSDAY, THE 25TH DAY OF JULY 2024 / 3RD SRAVANA, 1946

RSA NO. 1300 OF 2015

AGAINST THE JUDGMENT AND DECREE DATED 17.10.2015 IN AS NO.45 OF 2013 OF ADDITIONAL DISTRICT & SESSIONS COURT, VADAKARA ARISING OUT OF THE JUDGMENT AND DECREE DATED 21.01.2013 IN OS NO.199 SUB COURT, VADAKARA

APPELLANT/APPELLANT IN AS NO.45/2013 ADDL.DISTRICT JUDGE, VATAKARA BY TRANSFER FROM DISTRICT COURT, KOZHIKODE/ DEFENDANT IN O.S.No.199/2010 – SUB JUDGE, VATAKARA:

M.PURUSHOTHAMAN
AGED 67 YEARS
S/O.LATE GOPALAN, RETIRED BANK EMPLOYEE,
RESIDING AT MORARJI BHAWAN, NEAR OTHAYOTH KSHETHRAM,
VATAKARA AMSOM DESOM, VATAKARA POST, KOZHIKODE DISTRICT, KERALA.

BY ADVS.
SRI.B.KRISHNAN
SRI.R.PARTHASARATHY

RESPONDENT/RESPONDENTS IN AS No.45/2013 ADDL. DISTRICT JUDGE, VATAKARA BY TRANSER FROM DISTRICT COURT, KOZHIKODE/PLAINTIFFS IN OS NO.199/2010 – SUB JUDGE, VATAKARA:

1 **M.LEELA**
W/O.NARAYANAN, HOUSE WIFE,
CHULLIYIL, SREESADAN,
MANGILKAI, PALAYAD AMSOM,
PUTHIYARAKKARA DESOM,
VATAKARA TALUK, VATAKARA POST,
KOZHIKODE DISTRICT, KERALA - 673101

2 **SISTER M.SAVITHRI**
W/O.NRARENDRAN,
KALIKKANDITHAZHAKUNIYIL,
MUTTUNGAL AMSOM, RAYARANGOTH DESOM,
VATAKARA TALUK, VATAKARA POST,
KOZHIKODE DISTRICT, KERALA - 673101
[DIED] – THE DEATH OF R2 & R3 ARE RECORDED AS PER ORDER DATED 01/03/2023 IN MEMO DDATED 28/01/2023

3 BROTHER VENU
S/O.LATE GOPALAN,
KTDC COLLECTION AGENT,
MADATHIL HOUSE,
PUDUPPANAM AMSOM DESOM,
POST PUDUPPANAM, VATAKARA TALUK,
KOZHIKODE DISTRICT,
KERALA - 673101
[DIED]

4 SISTER M RUGMA,
AGED 56 YEARS,
W/O.POKKEN, HOSUE WIFE,
KOYAPPALLI HOUSE,
KAVILUMPARA ASMOM, DESOM,
VIA KUTTIADY, VATAKARA TALUK,
KOZHIKODE DISTRICT, KERALA - 673101

5 SISTER M BHAMA,
AGED 54 YEARS,
W/O.LATE RAJAMANI,
HOSUE WIFE, SREERAJ,
VETTUPURAKKAL,
NELLIKODE ASMOM DESOM,
VATAKARA TALUK,
KOZHIKODE DISTRICT,
KERALA - 673101

6 SISTER M JAYAMMA,
AGED 52 YEARS
W/O.NANU, HOSUE WIFE,
KOYITHIKANDY HOUSE,
KAVILUMPARA AMSOM DESOM,
POST KUNDUTHODE-673 513,
VIA KAVILUMPARA, BELMOUND, ,
VATAKARA TALUK,
KOZHIKODE DISTRICT,
KERALA - 673101

BY ADVS.
SRI.N.L.KRISHNAMOORTHY
SRI.K.LAKSHMINARAYANAN
SMT.SATHYASHREE PRIYA EASWARAN

THIS REGULAR SECOND APPEAL HAVING BEEN FINALLY HEARD ON 25.07.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

Since the appellant died and nobody was impleaded, the appeal is dismissed as abated.

Sd/-
M.A.ABDUL HAKHIM
JUDGE

sms