IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A. BADHARUDEEN

TUESDAY, THE 6TH DAY OF FEBRUARY 2024 / 17TH MAGHA, 1945

RSA NO. 872 OF 2020

AGAINST THE JUDGMENT AND DECREE DATED 15.06.2020 IN AS 105/2017 OF II ADDITIONAL DISTRICT COURT, THIRUVANANTHAPURAM, REVERSING JUDGMENT AND DECREE DATED 25.10.2017 IN OS 1713/2009 OF II ADDITIONAL MUNSIFF COURT, THIRUVANANTHAPURAM

APPELLANT/APPELLANT/9TH RESPONDENT/ADDL 11TH DEFENDANT:

S.N.D.P. YOGAM
AMBALATHARA BRANCH,
REPRESENTED BY IT'S SECRETARY SURESH KUMAR,
AGED 57 YEARS,
S/O.SIVANANDAN, SIVALAYAM, T.C.46/36,
AMBALATHARA, MUTTATHARA,
THIRUVANANTHAPURAM, PIN-695026.

BY ADVS.
B.JAYASURYA
SMT.MINI.V.A.

RESPONDENTS/RESPONDENTS/APPELLANTS 1 & 2 AND RESPONDENTS 1 TO 5, 7,10,11 TO 18/PLAINTIFFS & DEFENDANTS 2,4,5,6,7,9,12 TO 14 & LEGAL HEIRS OF 3RD DEFENDANT:

1 **SREEMAD ANANDA ANADASRAMAM CHARITABLE SOCIETY**
T.759/2009,
REPRESENTED BY ITS SECRETARY S.A.PRASAD,
S/O.SEKHARAN, AGED 55 YEARS,
RESIDING AT PRINCE BHAVAN, KOTTAPPURAM,
AMBALATHARA, THIRUVANANTHAPURAM-695 008.

2 **THE SECRETARY,**
SEEMAD ANANDA ANADASRAMAM CHARITABLE SOCIETY T.759/2009
S.A.PRASAD, S/O.SEKHARAN,
AGED 55 YEARS, RESIDING AT PRINCE BHAVAN,
KOTTAPPURAM, AMBALATHARA,
THIRUVANANTHAPURAM-695 008.

3 **M.INDIRA,**
AGED 78 YEARS
D/O.MALATHY,INDIRA NIVAS, PRAKULAM,
KANJAVALLY.P.O, TRIKKARUVA, KOLLAM, PIN-691602.

4 M.SUBHARA,
AGED 71 YEARS
D/O.MALATHY, RAJ BHAVAN, NEERAVIL,
PERUNADU.P.O, THRIKKADAVOOR VILLAGE,
KOLLAM-691 601.

5 M.CHANDRALEKHA,
AGED 69 YEARS
D/O.MALATHY, THENGILAZHIKATHU VEEDU
KANJAVALLY P.O. TRIKKARUVA,
KOLLAM – 691 602

6 K.K.RAJENDRAN,
AGED 64 YEARS,
S/O.KUNJAN, THENGILAZHIKATHU VEEDU
KANJAVALLY P.O. TRIKKARUVA
KOLLAM – 691 602

7 K.UPENDRAN, AGED 63 YEARS
S/O.KUNJAN, BEENA SADANAM, AMBALAMKUNNU
PERUNADU P.O., THRIKADAVOOR VILLAGE
KOLLAM – 691 601

8 SNDP YOGAM, AMBALATHARA BRANCH
REPRESENTED BY ITS PRESIDENT
AMBALATHARA, MUTTATHARA,
THIRUVANANTHAPURAM – 695 008

9 REMA BHAI
AGED 71 YEARS,
W/O.K.BALACHANDRAN, NALLAPOCHAYIL
ERIKAVU P.O., KARTHIKAPALLY,
ALAPPUZHA – 690 516

10 MANESH K.B.
AGED 47 YEARS
S/O.BALACHANDRAN, NALLAPOCHAYIL
ERIKAVU P.O., KARTHIKAPALLY
ALAPPUZHA – 690 516

11 SOONI BAIJU,
AGED 45 YEARS,
D/O.REMA BHAI, KRISHNAMANGALAM,

KAITHAVANA, SANATHANAPURAM WARD
ALAPPUZHA – 688 006

12 AMBILI,
AGED 54 YEARS,
D/O.DROWPATHI, VALIYAZHIKATHU,
PANTHRANDUMURI, THEJUS NAGAR,
THATTAMALA P.O., KOLLAM – 691 020

13 PADMAKUMARI,
AGED 56 YEARS,
D/O.DROWPATHI, MAMOOTIL PADINJATTATHIL
KANNIMELCHERY, MANITHADY P.O.
KOLLAM – 691 024

14 SASANKAN
AGED 58 YEARS,
S/O.SIVAASAN, KINARUVILA VEEDU,
NEERAVIL, PERINAD P.O.
KOLLAM – 691 601

15 SYAMLAL,
AGED 49 YEARS,
S/O.SIVADASAN, KINARUVILA VEEDU
NEERAVIL, PERINAD P O
KOLLAM – 691 601

16 SREETHAMPAN
AGED 50 YEARS, CHITHIRA
PRAKKULAM, KOLLAM – 691 624

17 SREELATHA
AGED 55 YEARS,
VAYALILVEEDU, KULANGARA BHAGAM,
CHAVARA P.O., KOLLAM – 691 583

THIS REGULAR SECOND APPEAL HAVING COME UP FOR ADMISSION ON 06.02.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

Dated this the 6th day of February, 2024

This regular second appeal has been filed under Section 100 read with Order XLII Rule 1 of the Code of Civil Procedure, 1908, challenging the decree and judgment dated 15.06.2020 in A.S.No.105/2017 on the files of the Additional District Court-II, Thiruvananthapuram, arose out of the decree and judgment dated 25.10.2017 in O.S.No.1713/2009 on the files of the Additional Munsiff's Court-II, Thiruvananthapuram.

2. No representation for the appellant. This matter has been pending for the last three years and the appellant is not interested to proceed with the matter. Therefore, this regular second appeal stands dismissed for default.

3. All interlocutory orders stand vacated and all interlocutory applications pending in this regular second appeal stand dismissed.

Registry shall inform this matter to the trial court as well as the appellate court forthwith.

Sd/-
A. BADHARUDEEN
JUDGE

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