



2025:KER:28608

MJC NO. 58 OF 2025
IN RFA NO.579 OF 2013

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A. BADHARUDEEN

THURSDAY, THE 3RD DAY OF APRIL 2025 / 13TH CHAITHRA, 1947

MJC NO. 58 OF 2025

AGAINST THE JUDGMENT DATED 11.02.2025 IN RFA

NO.579 OF 2013 OF HIGH COURT OF KERALA

APPLICANT/APPELLANT:

K.V. JOSEPH
AGED 65 YEARS
S/O VARGHESE, DRIVER, KUNNAPPILLIL HOUSE,
CHERANELLOOR VILLAGE, CHITTOOR DESOM,
SOUTH CHITTOOR P.O., KANAYANNOOR TALUK,
ERNAKULAM DISTRICT, PIN - 682027

BY ADVS.
K.V.JAYADEEP MENON
T.P.RAMESH (THENGUMPILLIL)

RESPONDENTS/RESPONDENTS:

- 1 MARRY @ SHERLY (DIED)
D/O. VARGHESE AND W/O. P.A.JOSEPH,
KUNNAPPILLIL HOUSE, CHITTOOR DESOM,
CHERANELLOOR, PULLAMPARAVIL, CHITTOOR DESOM,
ERNAKULAM DISTRICT, PIN - 682027
- 2 MANUAL
AGED 75 YEARS
S/O. VARGHESE, DRIVER,
KUNNAPPILLIL HOUSE,
CHERANELLOOR DESOM,
NOW RESIDING AT PAZHAMPILLY HOUSE,
OCHAMTHURUTH, VYPIN, PIN - 682508



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- 3 ANIE
 AGED 61 YEARS
 D/O. VARGHESE AND W/O. P.X JOSEPH,
 KUNNAPPILLIL HOUSE, CHERANELLOOR DESOM,
 NOW RESIDING AT PULIMOOTIL HOUSE,
 UDAYAMPEROOR, PIN - 682307
- 4 JANCY
 AGED 60 YEARS
 D/O. VARGHESE AND W/O. BABU ABRAHAM,
 KUNNAPPILLIL HOUSE, CHERANELLOOR DESOM,
 NOW RESIDING AT VELLAPPILY HOUSE,
 KOLLIYAKKAL ROAD, PIRAVOM, PIN - 686664
- 5 PAUL PIOUS
 AGED 58 YEARS
 S/O. VARGHESE, DRIVER, KUNNAPPILLIL HOUSE,
 NEAR HMCA JUNCTION, CHITTOOR DESOM,
 CHERANELLOOR,, PIN - 682027
- 6 SEBASTIN @ SEALASTINE
 AGED 53 YEARS
 S/O. VARGHESE, MERCHANT, KUNNAPPILLIL HOUSE,
 CHURCH ROAD, CHITTOOR DESOM, CHERANELLOOR,
 PIN - 682027
- 7 JOHNY
 AGED 51 YEARS
 S/O. VARGHESE, BUSINESS, KUNNAPPILLIL HOUSE,
 CHITTOOR DESOM, CHERANELLOOR,
 PIN - 682027

THIS MISCELLANEOUS JURISDICTION CASE HAVING COME UP
FOR ADMISSION ON 03.04.2025, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:



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ORDER

Dated this the 3rd day of April, 2025

This is an application filed by the petitioner to readmit R.F.A. No.579 of 2013, which was dismissed for non-prosecution as per judgment dated 10.02.2025.

2. Heard both sides. The prayer is not seriously opposed by the other side.

3. Since the appeal was dismissed for non-prosecution, in the interest of justice, in order to provide an opportunity to the petitioner to argue the appeal on merits, this petition stands allowed.

**Sd/-
A. BADHARUDEEN
JUDGE**

nkr