

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 28TH DAY OF JULY 2015/6TH SRAVANA, 1937

RSA.No. 900 of 2011 (F)

AGAINST THE JUDGMENT AND DECREE IN AS NO.14/2008 of DISTRICT
COURT,KASARAGOD DATED 27.09.2010

AGAINST THE JUDGMENT AND DECREE IN OS NO. 48/2006 of SUB COURT, KASARAGOD
DATED 30.11.2007

APPELLANT(S)(SUPPLEMENTAL APPELLANTS 2 TO 6/LRS OF PLAINTIFF):

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1. SHARATH KUMAR, S/O.LATE KESHAVA S. AMIN - PLAINTIFF,
R/AT D.NO.170, II nd STAGE
VIJAYANAGAR, RAILWAY LAYOUT, MYSORE - 570 016
KARNATAKA STATE.
 2. SATHEESH KUMAR,S/O.-DO-, R/AT -DO-
 3. SHUKESH KUMAR,S/O.-DO-, R/AT -DO-
 4. SHAILESH KUMAR, S/O.-DO-, R/AT -DO-
 5. SHUJATHA KUMARI, D/O.-DO-, R/AT -DO-

BY ADVS.SRI.T.SETHUMADHAVAN(SENIOR ADVOCATE)3

SRI.PUSHPARAJAN KODOTH
SRI.K.JAYESH MOHANKUMAR

RESPONDENT(S)(RESPONDENTS 1 TO 7/DEFENDANTS 1 TO 7):

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- (**) 1. SHANTHA, W/O.SHEENA, "SWARNADEEPA",
NEAR SEETHARAMA BAJANA MANDIR
KUNJATHUR VILLAGE AND POST, KASARAGOD TALUK
(VIA) MANJESHWAR.(DIED. L.HRS. IMPEADED AS ADDL.R14 TO 16)
 2. SHEKAR, S/O.LATE KRISHNAPPA,R/AT BEHIND GARAGE,
UDYAVAR VILLAGE, KASARGOD TALUK
P.O MANJESHWAR, KASARGOD DISTRICT.
 3. HARI, S/O.-DO-, R/AT -DO-

4. RAMDAS, S/O.-DO-, R/AT -DO-
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5. KASTURI, S/O.-DO-, R/AT -DO-

6. BHASKAR,S/O.-DO-, R/AT -DO-

(*) 7. KALAVATHI RAJ,W/O.RAGHAVENDRAJ,
R/AT BLOCK NO.38, II FLOOR
SHIVALAI MOTHILAL MANSION, BOMBAY CENTRAL, MUMBAI
MAHARASHTRA STATE. (DIED. LHRS. IMPEADED AS ADDL.R8 TO 13)

(*)ADDL.RESPONDENTS 8 TO 13 (LRS OF 7TH RESPONDENT)

8. BHARATHI RAJ ROY , S/O.DECEASED KALAVATHI RAJ,
KALPATHARU ROYALS FLAT, NO.23, 2nd FLOOR,
ROAD NO.29, SION EAST, MUMBAI-400 022.
9. BHUSHAN RAJ, S/O.DECEASED KALAVATHI RAJ,
VICEROY PART, TOWER 6A, THAKUR VILLAGE,
KANDIVALI, MUMBAI-400 001.
10. BIPIN RAJ, S/O.DECEASED KALAVATHI RAJ,
R/AT BLOCK NO.38, II FLOOR, SHIVALAL MOTHILAL MANSION,
BOMBAY CENTRAL, MUMBAI, MAHARASHTRA STATE.
11. BHANU RAJ, S/O.DECEASED KALAVATHI RAJ,
R/AT BLOCK NO.38, II FLOOR, SHIVALAL MOTHILAL MANSION,
BOMBAY CENTRAL, MUMBAI, MAHARASHTRA STATE.
12. BRAJESH RAJ, S/O.DECEASED KALAVATHI RAJ,
R/AT BLOCK NO.38, II FLOOR, SHIVALAL MOTHILAL MANSION,
BOMBAY CENTRAL, MUMBAI, MAHARASHTRA STATE
13. BHAKTHI RAJ, S/O.KALAVATHI RAJ, RUSTUM OZONE,
FLAT NO.901, GUREAGON WEST, BEHIND MTNL,
GUREGON MULUND LINK, MUMBAI-62

(**)ADDL.RESPONDENTS 14 TO 16 (LRS OF 1ST RESPONDENT)

14. SHEENA, HUSBAND OF DECEASED SHANTHA,
"SWARNADEEPA', NEAR SEETHARAMA BAJANA MANDIR,
KUNJATHUR VILAGE AND POST, KASARAGOD TALUK,
(VIA) MANJESHWAR.
15. ASHWIN, S/O.DECEASED SHANTHA,
"SWARNADEEPA', NEAR SEETHARAMA BAJANA MANDIR,
KUNJATHUR VILAGE AND POST, KASARAGOD TALUK,
(VIA) MANJESHWAR.
16. AVINASH, S/O.DECEASED SHANTHA,
"SWARNADEEPA', NEAR SEETHARAMA BAJANA MANDIR,
KUNJATHUR VILAGE AND POST, KASARAGOD TALUK,
(VIA) MANJESHWAR.

(*)ADDL.R8 TO 13 ARE IMPEADED AS THE LEGAL REPRESENTATIVES OF DECEASED R7

AS PER ORDER DATED 12/9/13 IN IA 653/12

RSA NO.900/2011

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(**)THE LEGAL HEIRS OF DECEASED RESPONDENT NO.1 ARE IMPEADED AS
ADDITIONAL RESPONDENTS 14 TO 16 AS PER ORDER DATED 25/6/14 IN IA 3399/13.

R3,R5,R6 BY ADV. SRI.D.KRISHNA PRASAD

R3,R5,R6 BY ADV. SMT.O.K.SANTHA

R3,R5,R6 BY ADV. SMT.S.SANTHY

THIS REGULAR SECOND APPEAL HAVING BEEN FINALLY HEARD ON
28-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.HARIPRASAD, J.

R.S.A. No.900 of 2011

Dated this the 28th day of July, 2015

JUDGMENT

No representation for the appellants. The matter comes up in the defect list. Defect is not cured. Hence the appeal is dismissed for default.

A. HARIPRASAD, JUDGE.

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