

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 5TH DAY OF APRIL 2018 / 15TH CHAITHRA, 1940

SA.No. 960 of 2001

AGAINST THE JUDGMENT AND DECREE DATED 24-05-2001 IN AS 58/1994 of III ADDL.D.C., KOLLAM.

AGAINST THE JUDGMENT AND DECREE DATED 27-08-1993 IN OS 305/1990 of PRL. MUNSIF'S COURT, KOLLAM.

APPELLANTS/RESPONDENTS/2ND DEFENDANT :

1. BHAGEERATHI AMMA, W/O LATE KARUNAKARA PILLAI,  
THODIYIL VEEDU, VALATHUNGALCHERY, KOLLAM.
2. K.RADHAKRISHNAN PILLAI,  
-DO- -DO-
3. INDIRAKUMARI, -DO- -DO-
4. GOPAKUMAR, -DO- -DO-

(THE APPELLANTS HEREIN ARE THE RESPONDENTS 1 TO 4 IN A.S NO.58/1994 OF THE IIND ADDITIONAL DISTRICT COURT, KOLLAM.)

BY ADV.SRI.N.RAMACHANDRAN NAIR (VARINJAM) .

RESPONDENTS/APPELLANTS/PLAINTIFFS :

1. METILDA FERNS, W/O SIMOM JOSEPH FERNS,  
RESIDING AT VELUNTHARA PURAYIDOM,  
VADAKKUMBHAGOM, ERAVIPURAM.
2. ELIZABETH JOSEPH, D/O LATE SIMON JOSEPH FERNS,  
RESIDING AT -DO- -DO-
3. SABI JOSEPH, S/O LATE SIMON JOSEPH FERNS,  
-DO- -DO-
4. TENSION JOSEPH, -DO- -DO-
5. BASIL JOSEPH, -DO- -DO-

(THE RESPONDENTS HEREIN ARE THE APPELLANTS IN A.S NO.58/1994 OF THE IIND ADDITIONAL DISTRICT COURT, KOLLAM.

R1, R2 & R5 BY ADV. SRI.THOMAS ANTONY.

THIS SECOND APPEAL HAVING BEEN FINALLY HEARD ON 05-04-2018, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.HARIPRASAD, J.

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S.A No.960 of 2001  
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Dated this the 5<sup>th</sup> day of March, 2018

J U D G M E N T

On 21-03-2018, the matter came up in the defect list and ten days time was granted to cure the defect. The matter comes up in the defect list today also. There is no representation for the appellants and the defect has not been cured so far. Hence, the appeal is dismissed for non-prosecution.

All pending interlocutory applications will stand dismissed.

A. HARIPRASAD,  
JUDGE.

amk

A.HARIPRASAD, J.

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S.A No.960 of 2001

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5-03-2018

J U D G M E N T