



2025:KER:27020

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN

&

THE HONOURABLE MRS. JUSTICE M.B. SNEHALATHA

FRIDAY, THE 28TH DAY OF MARCH 2025 / 7TH CHAITHRA, 1947

MAT.APPEAL NO. 245 OF 2025

AGAINST THE ORDER DATED 18.11.2015 IN

OP NO.303/2015, FAMILY COURT, TIRUR

APPELLANT/RESPONDENT:

SOMASUNDARAN, AGED 54 YEARS,
S/O. AYYAPPAN, MANNATH HOUSE,
ALATHIYOOR AMSOM, THANDILAKKARA DESOM,
ALATHIYOOR P.O., TIRUR,
MALAPPURAM DISTRICT, PIN - 676102.

BY ADVS.
P.T.SHEEJISH
P.SREERAM
HARIKIRAN
A.ABDUL RAHMAN (A-1917)
PARVATHY S. MANOJ
AMRITA SAFAL M.
YOOSUF SAFWAN T. AJMAL
PARVATHI

RESPONDENTS/PETITIONERS:

- 1 SUNITHA K.P, AGED 48 YEARS, D/O. VELAYUDHAN,
KOLLAPPARAMBIL HOUSE, THANALLOOR AMSOM & DESOM,
THANALUR P.O., TIRUR, MALAPPURAM DISTRICT,
PIN - 676307.



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- 2 SANOOP, AGED 26 YEARS, S/O. SOMASUNDARAN,
KOLLAPPARAMBIL HOUSE, THANALUR AMSOM & DESOM,
THANALUR P.O., TIRUR, MALAPPURAM DISTRICT,
PIN - 676307.
- 3 SNEHA, AGED 25 YEARS, D/O. SOMASUNDARAN,
KOLLAPPARAMBIL HOUSE, THANALLOOR AMSOM & DESOM,
THANALUR P.O., TIRUR, MALAPPURAM DISTRICT,
PIN - 676307.
- 4 SOORAJ SUNDAR, AGED 20 YEARS,
S/O. SOMASUNDARAN, KOLLAPPARAMBIL HOUSE,
THANALLOOR AMSOM & DESOM, THANALUR P.O., TIRUR,
MALAPPURAM DISTRICT, PIN - 676307.

THIS MATRIMONIAL APPEAL HAVING COME UP FOR
ADMISSION ON 28.03.2025, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:



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JUDGMENT

Devan Ramachandran, J.

When this matter was considered on 14.03.2025, we issued the following order:

Sri.P.T.Sheejish - learned counsel for the appellant, submitted that his client was incapacitated in filing an appeal as explained by him in the affidavit in support of C.M.Application.No.1/2025; and further that the property involved need not have been sold fully, but only a part.

Obviously, if the appellant's case is as before, then he must prove his bonafides by depositing the entire amount before he can seek any indulgence from this Court.

Sri.P.T.Sheejish sought two days time to confer with his client.

Post on 18.03.2025.

2. Thereafter, on 24.03.2025 again, we passed an order, which is to the following



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effect:

Read order dated 14.03.2025.

There is no appearance for the appellant, nor have he reported any deposit.

Post on 26.03.2025.

3. Obviously, even today, there is no appearance for the appellant.

4. We are, therefore, of the firm view that the appellant is not interested in prosecuting this Appeal.

This Appeal is thus dismissed for default.

Sd/-

DEVAN RAMACHANDRAN

JUDGE

Sd/-

M.B.SNEHALATHA

JUDGE

akv