

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.SOMARAJAN

MONDAY, THE 22ND DAY OF AUGUST 2022 / 31ST SRAVANA, 1944

EX.FA NO. 54 OF 2012

AGAINST THE ORDER/JUDGMENTOS 12/1988 OF SUB COURT, CHERTHALA

APPELLANT/PETITIONER/3RD PARTY:

1 DASAN PILLAI (DIED)
S/O SREEDHARAN PILLAI,
THEKKEKONAMMAKKIL,
CHERTHALA SOUTH VILLAGE,
CHERTHALA TALUK

SPPL.APPEL. PYARI DAS, AGED 40 YEARS, W/O. LATE DASAN PILLAI, UTHRAM
NO.2 NIVAS, CMC-17, CHERTHALA P.O., ALAPPUZHA

SPPL.APPEL. ARYA DAS (MINOR), AGED 17 YEARS, D/O. LATE DASAN PILLAI,
NO.3 UTHRAM NIVAS, CMC-17, CHERTHALA P.O., ALAPPUZHA

REPRESENTED BY HER GUARDIAN MOTHER SMT. PYARI DAS, AGED
40YEARS, W/O. LATE DASAN PILLAI, UTHRAM NIVAS, CMC-17,
CHERTHALA P.O., ALAPPUZHA

SPPL.APPEL. AYYAPPA DAS (MINOR), AGED 16 YEARS, S/O. LATE DASAN PILLAI,
NO.4 UTHRAM NIVAS, CMC-17, CHERTHALA P.O., ALAPPUZHA

REPRESENTED BY HIS GUARDIAN MOTHER SMT. PYARI DAS, AGED
40YEARS, W/O. LATE DASAN PILLAI, UTHRAM NIVAS, CMC-17,
CHERTHALA P.O., ALAPPUZHA

SPPL.APPEL. ADITHYA DAS (MINOR), AGED 14 YEARS, D/O. LATE DASAN PILLAI,
NO.1 UTHRAM NIVAS, CMC-17, CHERTHALA P.O., ALAPPUZHA

REPRESENTED BY HER GUARDIAN MOTHER SMT. PYARI DAS, AGED
40YEARS, W/O. LATE DASAN PILLAI, UTHRAM NIVAS, CMC-17,
CHERTHALA P.O., ALAPPUZHA

(ARE IMPEADED AS THE SUPPLEMENTAL APPELLANTS 1 TO 4 AS PER
ORDER DATED 29.07.2016 IN IA.NO. 2524/2016 IN EX.FA.
NO.54/2012.)

BY ADVS.
SRI.K.RADHAKRISHNAN (SR.)
SRI.ARUN KUMAR.P
SMT.AMBIKA RADHAKRISHNAN

RESPONDENTS/RESPONDENTS/PETITIONERS AND DEFENDANTS:

- *1 CHONAPPALLIL ENTERPRISES (DELETED)
K.R. PURAM P.O, PALLIPPURAM 688556,
REPRESENTED BY ITS PARTNERS WHO ARE RESPONDENTS 2-6
- *2 C.B. SUDHEESH (DELETED)
S/O K.G. BHASKARAN, GOVINDALAYAM,
K.R. PURAM P.O, PALLIPPURAM VILLAGE,
CHERTHALA 688556
- 3 C.K. SASIDHARAN
S/O C.G. KUMARAN, CHONAPPALLIL, K.R. PURAM P.O,
PALLIPPURAM VILLAGE, CHERTHALA 688556
- *4 K.S. SANALKUMAR (DELETED)
S/O BALAKRISHNAN CHONAPPALLIL, K.R. PURAM P.O,
PALLIPPURAM VILLAGE, CHERTHALA, 688556
- 5 B. MOHANAN
S/O C.G. BHASKARAN, GOVINDALAYAM, K.R. PURAM P.O,
PALLIPPURA VILLAGE, CHERTHALA 688556
- 6 M.G. PRASANAN
S/O C.G. GOPALAN, MATTATHIL CHIRAYIL,
K.R. PURAM P.O, PALLIPPURA VILLAGE,
CHERTHALA 688556
- *7 C.G. GOPALAN (DELETED)
MATTATHIL CHIRAYIL, K.R. PURAM P.O,
PALLIPPURA VILLAGE, CHERTHALA 688556
- 8 SMT. ABMUJAKSHI BALAKRISHNAN
W/O BALAKRISHNAN, CHONAPPALLIL,
K.R. PURAM P.O, PALLIPPURAM VILLAGE,
CHERTHALA 688556
- 9 SMT. SUSHAMA ASOKRAJ
W/O ASOKRAJ, GOVINDALAYAM, K.R. PURAM P.O,
PALLIPPURAM VILLAGE, CHERTHALA 688556
- *10 SMT. SUJATHA (DELETED)
W/O CHITHRABHANU, GOVINDALAYAM, K.R. PURAM P.O,
PALLIPPURAM VILLAGE, CHERTHALA 688556
- *11 P.K. CHITHRABHANU (DELETED)
S/O KARUNAKARAN, GOVINDALAYAM, K.R. PURAM P.O,
PALLIPPURAM VILLAGE, CHERTHALA 688556

- 12 N. BALAKRISHNAN
S/O NANOO, CHONAPPALLIL, K.R.PURAM P.O, PALLIPPURAM
VILLAGE, CHERTHALA 688556
- 13 THE FEDERAL BANK LTD
POOCHAKKAL BRANCH, 688526,
REPRESENTED BY ITS MANAGER
- *14 K.B PRASANAN (DELETED)
CHKRATHIL CHIRAYIL, PALLIPPURAM P.O, PALLIPPURAM
VILLAGE, CHERTHALA, 688541
- 15 SULOCHANA
VDAYAVIHAR, JOLL JUNCTION,
CHEMBU, VAIKOM 686615
- 16 SMT. SUDHAMONY
W/O P.S. ANILKUMAR, AMBALAKATTUCHIRA,
VAYALAR P.O, 688536
- 17 LEELA GOPINATHAN
AMBALAKKATTUCHIRA, VAYALAR P.O,
CHERTHALA 688536
- 18 K.R. MANOJ
KALATHIL PARAMBU CHIRA, PATTANAKKADU P.O, CHERTHALA
688531

* RESPONDENTS 1,2,4,7,10,11 & 14 ARE DELETED FROM
THE PARTY ARRAY IN THE APPEAL AT THE RISK OF THE
APPELLANT AS PER ORDER DATED 26.6.13 IN I.A.NO.1611
OF 2013

BY ADVS.

T.R.HARIKUMAR	-R18
SRI.A.ANTONY	-R13
SMT.LEELAMMA ANTONY	-R13
SRI.VPK.PANICKER	-R9
SMT.REMYA KRISHNAN	-R9
ARJUN RAGHAVAN	-R18

THIS EXECUTION FIRST APPEAL HAVING COME UP FOR HEARING
ON 22.08.2022, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

JUDGMENT

The appellant and the counsel remained absent. There was no representation. The appeal is against the order in execution and it is of the year 2012. This would speak volume what is behind it. The counsel for the respondents 9, 13 & 18 are present and ready with the matter. Hence, the appeal is dismissed for non-prosecution with cost of the abovesaid respondents.

Sd/-

P . SOMARAJAN

JUDGE

SPV