

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A. BADHARUDEEN

MONDAY, THE 13TH DAY OF NOVEMBER 2023 / 22ND KARTHIKA, 1945

RSA NO. 587 OF 2023

AGAINST THE JUDGMENT IN OS.NO.216/2013 OF ADDITIONAL SUB COURT,
THALASSERY

AS.NO.121/2018 OF ADDITIONAL DISTRICT COURT - II, THALASSERY

APPELLANTS/APPELLANTS/DEFENDANTS 1, 2 & 3:

- 1 N.K.MITHRAN
AGED 68 YEARS
S/O PURUSHOTHAMAN, RESIDING AT 11/42, IV MAIN ROAD,
KOTOOR GARDEN, KOTTAPURAM, CHENNAI, PIN - 600085
 - 2 PARISHITH MITHRAN
AGED 33 YEARS
S/O N.K. MITHRAN, RESIDING AT IV MAIN ROAD, KOTOOR
GARDEN, KOTTAPURAM, CHENNAI, PIN - 600085
 - 3 N. SAJINI MITHRAN
AGED 57 YEARS
W/O N.K. MITHRAN, RESIDING AT IV MAIN ROAD, KOTOOR
GARDEN, KOTTAPURAM, CHENNAI, PIN - 600085
- BY ADVS.
MEENA.A.
VINOD RAVINDRANATH
M.R.MINI
K.C.KIRAN
ANISH ANTONY ANATHAZHATH
THAREEQ ANVER K.
NIVEDHITHA PREM.V
M.DEVESH

RESPONDENTS/:RESPONDENTS/PLAINTIFF AND 4TH DEFENDANT

- 1 N.K. RAJALAKSHMI
AGED 82 YEARS
D/O PURUSHOTHAMAN, RESIDING AT NO.13/53, M.R.C. NAGAR,
SANTHOME, CHENNAI, PIN - 600028
- 2 D. LAKSHMI KALLYANI, BSC, BL
AGE AND FATHER'S NAME NOT KNOWN, ADVOCATE, NOTARY PUBLIC
AND COMMISSIONER, OF OATH, 242-FIRST FLOOR, PIOUS III
BUILDING, NEW ADDITIONAL LAW CHAMBER, HIGH COURT,
CHENNAI, PIN - 600014

THIS REGULAR SECOND APPEAL HAVING COME UP FOR ADMISSION ON
13.11.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

Dated this the 13th day of November, 2023

This appeal has been filed under Section 100 r/w Order XLII Rule 1 of the Code of Civil Procedure, against the decree and judgment in A.S.No.121/2018, dated 13.4.2023 on the files of the Additional District Court – II, Thalassery, arose out of the judgment and decree in O.S.No.216/2013 on the files of the Sub Court, Thalassery.

2. When the matter came up for consideration, there is no representation for the appellants, though this appeal has been pending with effect from 4.9.2023.

Hence, this regular second appeal is dismissed for non-prosecution.

Sd/-

**A. BADHARUDEEN
JUDGE**