

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A. BADHARUDEEN

THURSDAY, THE 10TH DAY OF FEBRUARY 2022 / 21ST MAGHA, 1943

OP(C) NO. 2190 OF 2015

OS 183/2011 OF III ADDITIONAL SUB COURT, KOZHIKODE

PETITIONER/S:

- 1 K SIDHRATHAN
AGED 67 YEARS
S/O KORUKUTTY,
VALIAPARAMBATH HOSUE,
KATCHERI AMSOM, DESOM,
KOZHIKODE. (DIED, LRS IMPEADED)
- 2 BALARAMAN
AGED 65 YEARS
S/O KORUKUTTY, PALANIKKATTU PUNCHA, VENGARI AMSOM,
DESOM, KOZHIKODE.

*ADDITIONAL PETITIONERS 3 TO 5 IMPEADED
- 3 RAMANI BAI K,
AGED 66 YEARS
W/O LATE K. SIDHARTHAN,
VALIYAPARAMBATH HOUSE, 5/733,
RARICHAN ROAD, ERANHIPALAM P.O,
KOZHIKODE 673 003.
- 4 SINI K,
AGED 34 YEARS
D/O LATE K. SIDHARTHAN,
VALIYAPARAMBATH HOUSE, 5/ 733,
RARICHAN ROAD, ERANHIPALAM P.O,
KOZHIKODE 673 003.
- 5 SANOOP K,
AGED 32 YEARS
S/O LATE K. SIDHARTHAN,
VALIYAPARAMBATH HOUSE,
5/733, RARICHAN ROAD,
ERANHIPALAM P.O, KOZHIKODE 673 003.

ADDITIONAL PETITIONERS 3 TO 5 ARE IMPEADED AS
THE LEGAL HEIRS OF THE DECEASED 1ST PETITIONER
IN THIS OP(C) AS PER ORDER DATED 11-10-2018 IN
IA 1/2018

BY ADVS.
N.M.MADHU
C.S.RAJANI

RESPONDENT/S:

K SREEDEVI VIJAYAN
D/O KORUKUTTY, PALANIKKATTU PUNCHA,
VENGARI AMSOM, DESOM, KOZHIKODE-673010.

BY ADVS.
K.M.FIROZ
S.KANNAN
M.SHAJNA

THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON
10.02.2022, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

A.BADHARUDEEN, J.

O.P.(C)No.2190 of 2015

Dated this the 10th day of January, 2022

J U D G M E N T

Parties who referred to Mediation Centre, Kozhikode settled the matter and mediation agreement signed by all parties in original produced before this Court.

In view of the settlement, this original petition has become infrutuous and therefore, the same is dismissed. However, it is necessary to forward the original mediation agreement to the Sub Court, Kozhikode to record compromise in terms of the mediation agreement in the final decree proceedings pending before that Court.

Therefore, Registry is directed to forward the mediation agreement to the Sub Court, Kozhikode for the same.

Sd/-

A.BADHARUDEEN, JUDGE

rkj

APPENDIX OF OP(C) 2190/2015

PETITIONER EXHIBITS

- EXHIBIT P1:** TRUE COPY OF THE PLAINT IN OS NO.183/11 ON THE FILES OF THE III ADDITIONAL SUB COURT, KOZHIKODE.
- EXHIBIT P2:** TRUE COPY OF THE PRELIMINARY DECREE DATED 31.1.2012 IN OS NO.183/11 PASSED BY THE III ADDITIONAL SUB COURT, KOZHIKODE.
- EXHIBIT P3:** TRUE COPY OF THE REPORT DATED 6.2.13 SUBMITTED BY THE ADVOCATE COMMISSIONER IN F.D.I.A. NO.5698/12 IN OS NO.183/11.
- EXHIBIT P4:** TRUE COPY OF THE IA NO.4097/13 FILED BY THE RESPONDENT.
- EXHIBIT P5:** TRUE COPY OF THE COUNTER STATEMENT FILED BY THE PETITIONERS TO EXT.P4.
- EXHIBIT P6:** TRUE COPY OF THE ORDER DATED 3.9.14 IN I.A.NO.4097/13 IN F.D.I.A. NO.5698/12 IN O.S.NO.183/11 PASSED BY THE III ADDITIONAL SUB COURT, KOZHIKODE.
- EXHIBIT P7:** TRUE COPY OF THE PLAN AND REPORT SUBMITTED BY THE ADVOCATE COMMISSIONER IN F.D.I.A.NO.5698/12 IN O.S.NO.183/11.
- EXHIBIT P8:** TRUE COPY OF THE I.A.NO.1062/15 FILED BY THE PETITIONERS.
- EXHIBIT P9:** TRUE COPY OF THE COUNTER FILED BY THE RESPONDENT TO EXT.P8.
- EXHIBIT P10:** TRUE COPY OF THE ORDER DATED 22.7.15 IN I.A.NO.1062/15 IN F.D.I.A.NO.5698/12 IN OS.NO.183/11 PASSED BY THE III ADDITIONAL SUB COURT, KOZHIKODE.