

IN THE COURT OF THE ADDL DISTRICT JUDGE-II, THALASSERY
Sri. Philip Thomas, Additional District Judge-II, Thalassery
Thursday, the 7th day of December, 2023, 16th Agrahayana, 1945.

APPEAL SUIT No. 32/ 2020

C M Pramod, S/o late Narayanan, aged 59 years,] Appellant/
Retires AXE, Udayam, Puzhathi amsom, Edachery,] Defendant No.60
Pallikkunnu PO., Kannur- 4.]

V/s

- 1 P M Jyothi, D/o Damayanthi, aged 62 years,] Respondents/
Housewife, Valiyakandathil, Kakkattil Via,] Plaintiffs.
Pathirippatta, Kozhikode.]
- 2 P M Deepak, S/o C P Jypthi, aged 38 years,]
Business, Valiyakandathil, Kakkattil Via,]
Pathirippatta, Kozhikode.]
- 3 P C Prabha, D/o Damayanthi, aged 58 years,]
Housewife, Jyothi Nivas, Chovva PO., Kannur.]
- 4 P C Deepa, D/o Damayanthi, aged 57 years,]
Jyothi Nivas, Chovva PO., Kannur.]
- 5 P C Shoba, D/o Damayanthi, aged 52 years,]
Jyothi Nivas, Chovva PO., Kannur.]
- 6 P C Kanthi, D/o Damayanthi, aged 51 years,]
Jyothi Nivas, Chovva PO., Kannur.]
- 7 M N Lalitha, D/o Madhavi, aged 66 years,]
Housewife, Pravini Nivas, Peringalayi,]
PO. Kappad, Kannur-670006.]
- 8 M.N. Sasindran, S/o Madhavi, aged 62 years,]
Spinning, Narangalat House, Kappad PO,]
Kannur-670006.]
- 9 M. N. Janardhanan, S/o Madhavi, aged 60 years,]
Deshabhimani Salesman, Narangalat House,]
Kappad PO., Kannur-670006.]
- 10 Santha M., W/o Vijayan, aged 56 years,]
Narangalat House, Peringalayi, Kappad PO.,]
Kannur- 670006.]
- 11 Raneesh M. N. , S/o Vijayan, aged 32 years,]
Draftsman, Narangalat House, Peringalayi,]
Kappad PO., Kannur-670006.]
- 12 Rannya M. N., D/o Vijayan, aged 30 years,]
Narangalat House, Peringalayi, Kappad PO.,]

- Kannur-670006.]
- 13 C. P. Rajamani, S/o Kousallya, aged 70 years,]
Business, Sukhina, Puthiyara, Kozhikkode-4.]
- 14 C. P. Neenamani, D/o Kousallya, aged 62 years,] Respondents/Defendants
Lecturer, Sukhina, Puthiyara, Kozhikkode-4.]
- 15 C.P. Manglesh Mani, S/o Kousallya, aged 60]
years, Kerala Koumudi, South Bazar, Kannur-2.]
- 16 Damayanthi, D/o Narayanai, aged 85 years, Jyothi]
Nivas, Chovva PO, Kannur-6.]
- 17 C. M Premaraji, D/o Narayani, aged 76 years,]
C-5, Bright Heaven Society, Nr.Diamond, Garden,]
Bombay-7]
- 18 C.M. Salila, D/o Premaraji, aged 46 years,]
Times of India, C-5, Bright Heaven Society,]
Nr .Diamond, Garden, Bombay-7.]
- 19 C. M. Sujith, S/o Premaraji, aged 44 years,]
Times of India, C-5, Bright Heaven Society,]
Nr. Diamond, Garden, Bombay-7]
- 20 A C Harish, S/o Prameela, aged 49 years,]
Business, Swapna, Kakkad Road, Chovva PO.,]
Kannur.]
- 21 A C Sapna, D/o Prameela, aged 49 years,]
Business, Swapna, Kakkad Road, Chovva PO.,]
Kannur.]
- 22 A C Helina, D/o Prameela, aged 44 years,]
Business, Swapna, Kakkad Road, Chovva PO.,]
Kannur.]
- 23 M N Nalini, D/o Madhavi, aged 68 years,]
Poothatta House, Uruvachal, Chovva PO.,]
Nr. Kannur South Railway Station, Kannur-6.]
- 24 Shobha, D/o Madhavi, aged 56 years, Housewife,]
Chalil House, Makreri, Kannur.]
- 25 Sameer, S/o Nalini, aged 43 years, Poothatta] Respondents/Defendants
House, Uruvachal, Chovva PO.,]
Nr. Kannur South Railway Station, Kannur-6.]
- 26 C.M. Narayanan, S/o Narayani, aged 73 years,]
Business, Neroth House, Temple Gate, Thalassery,]

- Kannur.]
- 27 C. M. Sugunan, S/o Narayani, aged 68 years,]
Business, Chirukndans, Thana (PO), Kannur-1.]
- 28 K M Shyamala, D/o Govindan, aged 71 years,]
Pranam, Backside of Kalathil Kavil, Alavil PO.,]
Kannur.]
- 29 K. M. Asokan, S/o Govindan, aged 68 years,]
Pranam, backside of Kalathilkavil, Alavil PO.,]
Kannur.]
- 30 K M Shobhana, D/o Govindan, aged 68 years,]
Pranam, backside of Kalathil Kavil, Alavil PO.,]
Kannur.]
- 31 K.M. Sheela, D/o Govindan, aged 62 years,]
Pranam, backside of Kalathil Kavil, Alavil PO.,]
Kannur.]
- 32 Sachin Santhram, S/o Seetala, aged 38 years, 2nd]
House, Sherine Garden, Nr. U.C.College, Aluva.]
- 33 Sithara, D/o Sheethala, aged 26 years, 2nd House,]
Sherine Garden, Nr.U C., College, Aluva.]
- 34 K.P. Sivani, W/o Kunhiraman, aged 86 years,]
'Jaya', Nr. Elayavoor Village Office, Chovva PO.,]
Kannur-6.]
- 35 P. M. Gireesh, S/o Kunhiraman, aged 64 years,]
'Jaya', Nr. Elayavoor Village Office, Chovva PO.,]
Kannur-6.]
- 36 P. M.Vivek, S/o Kunhiraman, aged 62 years,]
'Jaya', Nr. Elayavoor Village Office, Chovva PO.,]
Kannur-6.]
- 37 P.M.Chithra, D/o Kunhiraman, aged 60 years,]
'Jaya', Nr. Elayavoor Village Office, Chovva PO.,]
Kannur-6.]
- 38 P. M. Mithra, D/o Kunhiraman, aged 58 years,] Respondents/Defendants
'Jaya', Nr. Elayavoor Village Office, Chovva PO.,]
Kannur-6.]
- 39 P. M. Uma, D/o Kunhiraman, aged 56 years,]
'Jaya', Nr. Elayavoor Village Office, Chovva PO.,]
Kannur-6.]

- 40 P. M.Urmila, D/o KunhIRaman, aged 53 years,]
 'Jaya', Nr. Elayavoor Village Office, Chovva PO.,]
 Kannur-6.]
- 41 P. M. Sharmila, D/o KunhIRaman, aged 50 years,]
 'Jaya', Nr. Elayavoor Village Office, Chovva PO.,]
 Kannur-6.]
- 42 N.C. Sulochana, W/o Gopalan, aged 78 years,]
 Narangalat House, Nr. Elayavoor Village Office,]
 Chovva, Kannur-670006.]
- 43 M. C. Vinod, S/o Gopalan, aged 48 years,]
 Accountant, Narangalat House, Nr.Elavoor]
 Village Office, Chovva PO., Kannur-6.]
- 44 M.C. Pramod, S/o Gopalan, aged 46 years,]
 Accountant, Narangalat House, Near Elayavoor]
 Village Office, PO.Chovva, Kannur-670006..]
- 45 M C Prathiba, D/o Gopalan, aged 43 years,]
 Teacher, Narangalat House, Nr.Elavoor Village]
 Office, Chovva PO., Kannur-6.]
- 46 C. N. Sarala, D/o Kunhambu, aged 73 years,]
 Lakshmi Nivas, Nr. South Railway Station,]
 Chovva PO., Kannur.]
- 47 C.T. Deepak, S/o Lakshmanan, aged 51 years,]
 Vijiya Nivas, Talap, Kannur-2.]
- 48 C.T. Ajith, S/o Lakshmanan, aged 49 years, Vijaya]
 Nivas, Talap, Kannur-2.]
- 49 C.T. Manoj, S/o Lakshmanan, aged 49 years,]
 Vijaya Nivas, Talap, Kannur-2.]
- 50 C.T. Shanoj, S/o Lakshmanan, aged 48 years,] Respondents/Defendants
 Vijaya Nivas, Talap, Kannur-2.]
- 51 C. M. Sreedhaan, S/o Ramunni, aged 86 years,]
 Vijaya Nivas, Talap, Kannur-2.]
- 52 C.M. Santhakumari, D/o Ramunni, aged 83 years,]
 Vijaya Nivas, Talap, Kannur-2.]
- 53 C. M. Premaja, D/o Ramunni, aged 73 years,]
 Vijaya Nivas, Talap, Kannur-2.]
- 54 T. Nalini, W/o Kannan, aged 74 years, Gardens,]
 Chovva, Kannur.]

- 55 T. K. Santhosh, S/o Kannan, aged 56 years, Gardens, Chovva, Kannur.]]
- 56 T. Rajesh, S/o Kannan, aged 55 years, Gardens, Chovva, Kannur.]]
- 57 C.N. Uthaman, S/o Kunhambu, aged 81 years, Sreelakshmi, Co-operative Spinning Mill Road, Kannur-6.]]
- 58 C.N. Bharathan, S/o Kunhambu, aged 75 years, Sreelakshmi, Co-operative Spinning Mill Road, Kannur-6.]]
- 59 A.M. Sugatha, D/o Soudamini, aged 56 years, Vijaya Nivas, Talap, Kannur-2.]]
- 60 C.M. Vijayalakshmi, D/o Ramunni, aged 73 years, Vijaya Nivas, Talap, Kannur-2.]]
- 61 K. M. Muhammad Kunhi, S/o Hameed, aged 34 years, Rainbow House, Kannur amsom, Kannur Ward, Kannur Municipality.]]
- 62 C.M. Geetha, D/o late Narayanan, aged 70 years, Business, residing at Gift House, Neerancheri PO., Bypass Road, Vadakara.]]
- 63 K.Pradeep Kumar, S/o Kumaran, aged 58 years, Residing at 'Dhruva', Morazha amsom, desom, Kanool PO., Kannur.] Respondents/Defendants]]
- 64 K. Jayasree, D/o Kumaran, aged 64 years, Residing at 'Dhruva', Morazha amsom, desom, Kanool PO., Kannur.]]
- 65 K. Sreelekha, D/o Kumaran, aged 62 years, Residing at 'Dhruva', Morazha amsom, desom, Kanool PO., Kannur.]]
- 66 K. Sangeetha, D/o Kumaran, aged 60 years, Residing at "Dhruva", Morazha amsom, desom, Kanool PO., Kannur.]]
- 67 K. Praveen Kumar, S/o Kumaran, aged 60 years, Residing at 'Dhruva', Morazha amsom, desom, Kanool PO., Kannur.]]
- 68 K. Jayadeep Kumar, S/o Kumaran, aged 58 years, Residing at 'Dhruva', Morazha amsom, desom,]]

- Kanool PO., Kannur.]
- 69 K. Sreerama, D/o Kumaran, aged 56 years,]
Residing at 'Dhruva', Morazha amsom, desom,]
Kanool PO., Kannur.]
- 70 K. P. Girija, W/o Madhavan, aged 78 years,]
Residing at 'Sreelakshmi', Spinning Mill Road,]
Chovva PO., Kannur.]
- 71 C. M. Renith, S/o Madhavan, aged 54 years,]
Residing at 'Sreelakshmi', Spinning Mill Road,]
Chovva PO., Kannur.]
- 72 C. M. Reeja, D/o Madhavan, aged 52 years,]
Residing at 'Sreelakshmi', Spinning Mill Road,]
Chovva PO., Kannur.]
- 73 Rejin, S/o Madhavan, aged 50 years,]
Residing at 'Sreelakshmi', Spinning Mill Road,]
Chovva PO., Kannur.]
- 74 Divya, D/o Savithri, aged 52 years, 'Sangamam',]
Payyamballam, Kannur-1.]
- 75 Sachi Madhavan, D/o Padmini, aged 63 years,] Respondents/Defendants
Vijaya Nivas, Behind Madhava Rao Scindia]
Hospital, Talap, Kannur.]
- 76 Radhika Balakrishnan, W/o Balakrishnan, aged 83]
years, residing at Balakrishna, Behind Madhava]
Rao Scindia Hospital, Talap, Kannur.]
- 77 Reshma Balakrishnan, D/o Balakrishnan, aged 53]
years, residing at Balakrishna, behind Madhava]
Rao Scindia Hospital, Talap, Kannur.]
- 78 Rathi M.M., D/o Lakshmi, aged 77 years,]
Parappurath House, Chovva PO., Kannur.]
- 79 Chandralekha P. M., W/o Prabhakaran, aged 74]
years, Chandraprabha, Kizhunna, Kannur.]
- 80 Prasoon M.P., S/o Prabhakaran, aged 37 years,]
Chandraprabha, Kizhunna, Kannur.]
- 81 Pramitha, D/o Prabhakaran, aged 35 years,]
Chandraprabha, Kizhunna, Kannur.]
- 82 Reshmi, D/o Suvarna, aged 52 years,]
Cherumanalil House, Pannenparan, Kannur.]

- | | | | |
|----|---|---|------------------------|
| 83 | Suresh C.C., S/o Damayanthi, aged 72 years,
Cherumanalil House, Pannenparan, Kannur. |] | |
| 84 | Thankalakshmi, D/o Damayanthi, aged 75 years,
Cherumanalil House, Pannenparan, Kannur. |] | |
| 85 | C.C. Sreedas, S/o Damayanthi, aged 68 years,
Cherumanalil House, Pannenparan, Kannur. |] | |
| 86 | Lathika K.N., W/o C.P.Vinodmani, aged 73 years,
'Nandanam', Ponnaraseri, Iringappuram PO.,
Guruvayoor. |] | |
| 87 | Abhilash C.P., S/o Vindomani, aged 43 years,
'Nandanam', Ponnaraseri, Iringappuram PO.,
Guruvayoor. |] | |
| 88 | Shibi Vivek, D/o Vinodmani, aged 38 years,
'Nandanam', Ponnaraseri, Iringappuram PO.,
Guruvayoor. |] | Respondents/Defendants |
| 89 | K.Prema, W/o C.M. Sadanandan, aged 73 years,
'Sneha', Muttillam Para, Thnakekkunnu,
Attadappa PO., Kannur. |] | |
| 90 | C.K.Suhitha, D/o C.M. Sadanandan, aged 43
years, 'Sneha', Muttillam Para, Thnakekkunnu,
Attadappa PO., Kannur. |] | |
| 91 | C. K. Susmitha, D/o C.M. Sadanandan, aged 40
years, 'Sneha', Muttillam Para, Thnakekkunnu,
Attadappa PO., Kannur. |] | |
| 92 | C.K. Soniya, D/o C.M. Sadanandan, aged 38
years, 'Sneha', Muttillam Para, Thnakekkunnu,
Attadappa PO., Kannur. |] | |
| 93 | Krishna Kumari, W/o Balakrishnan, aged 68
years, Victor, Opp. State Bank of India, Kakkad
PO., Kannur. |] | |
| 94 | Bhavitha, D/o C.M. Balakrishnan, aged 36 years,
'Victor', Opp.State Bank of India, Kakkad PO.,
Kannur. |] | |

On appeal from the Decree and Judgment passed by the Sub Court, Kannur dated the 18th day of November, 2019 and made in:-

O S 73/2012

1	P. M. Jyothi]	Plaintiffs
2	P. M. Deepak]	
3	P. C. Prabha]	
4	P. C. Deepa]	
5	P. C. Shoba]	
6	P. C. Kanthi]	
7	M. N. Lalitha]	
8	M. N. Sasindran]	
9	M. N. Janardhanan]	
10	Santha M]	
11	Raneesh M. N.]	
12	Rannya M. N.]	

Vs

1	C. P. Jayamani]	Defendants
2	C. P. Rajamani]	
3	C. P. Vinodmani]	
4	C.P. Neenamani]	
5	C. P. Manglesh Mani]	
6	Damayanthi]	
7	C. M. Premaraji]	
8	C. M. Salila]	
9	C. M. Sujith]	
10	A. C. Harish]	
11	A.C. Sapna]	
12	A.C. Helina]	
13	M. N. Nalini]	

14	Lalitha]	Defendants
15	M. N. Sasindran]	
16	M. N. Janardhanan]	
17	Shobha]	
18	Sameer]	
19	Santha]	
20	Raneesh]	
21	Rannya]	
22	C. M. Narayanan]	
23	C. M. Sugunan]	
24	C. M. Balakrishnan]	
25	Chandramathi]	
26	K. M. Shyamala]	
27	K. M. Asokan]	
28	K. M. Shobhana]	
29	K. M. Sheela]	
30	Sachin Santhram]	
31	Sithara]	
32	K.P.Sivani]	
33	P. M. Gireesh]	
34	P. M. Vivek]	
35	P. M. Chithra]	
36	P. M. Mithra]	
37	P. M. Uma]	
38	P. M. Urmila]	
39	P. M. Sharmila]	

40	N. C. Sulochana]	Defendants
41	M. C.Vinod]	
42	M. C.Pramod.]	
43	M. C. Prathiba]	
44	C. N. Sarala.]	
45	C. T. Deepak]	
46	C.T. Ajith]	
47	C.T. Manoj]	
48	C.T. Shanoj]	
49	C. M. Sreedhaan]	
50	C. M. Santhakumari.]	
51	C. M. Premaja]	
52	T. Nalini]	
53	T. K.Santhosh]	
54	T. Rajesh]	
55	C. N. Uthaman]	
56	C.N.Bharathan]	
57	A. M. Sugatha]	
58	C.M. Vijayalakshmi]	
59	C. M. Muhammad Kunhi]	
60	C. M. Pramod]	
61	C. M. Geetha]	
62	K. Pradeep Kumar]	
63	K. Jayasree]	
64	K. Sreelekha]	
65	K. Sangeetha]	

66	K. Praveen Kumar]	Defendants
67	K. Jayadeep Kumar]	
68	K. Sreerama]	
69	K. P. Girija]	
70	C. M. Renith]	
71	C. M. Reeja]	
72	Rejin]	
73	Divya]	
74	Sachi Madhavan]	
75	Radhika Balakrishnan]	
76	Reshma Balakrishnan]	
77	C. M. Sadanandan]	
78	Rathi M. M.]	
79	Chandralekha P. M.]	
80	Prasoon M. P.]	
81	Pramitha]	
82	Reshmi]	
83	Suresh C. C.]	
84	Thankalakshmi]	
85	C. C. Sreedas]	
86	Lathika K.N]	
87	Abhilash C. P.]	
88	Shibi Vivek]	
89	K. Prema]	
90	C. K. Suhitha]	
91	C. K.Susmitha]	

92 C. K.Soniya]	Defendants
93 Krishna Kumari.]	
94 Bhavitha]	

This appeal coming on this day for hearing before me in the presence of Sri. P. Ajayakumar, Advocate for R7 to R10 & R12; of R1 to 4, 6,11, 13,14, 16, 18 to 21, 23, 25, 27 to 31, 34 to 36, 38 to 41, 43 to 46, 54 to 56, 58,65, 66,70, 71 to 74, 78 to 81, 82 to 86, 89, 91 being called absent and set exparte; (Sri. Jayakrishnan T.V. Advocate had filed vakalath for R91); R37, 42, 51, 52, 57 and 60 were no more; other respondents not entered in appearance; the appellant and his counsel S/Sri. R. Mahesh Varma and Vipin Surendran, being called absent; the court delivered the following:-

JUDGMENT

Appeal filed Under Order XXXXI Rule 1 of the CPC.

Appellant absent. No representation. As IA.02/2020 to condone delay in filing the appeal is dismissed, the appeal is also dismissed as barred by limitation.

(Pronounced by me in open Court, on this the 7th day of December, 2023)

Sd/-
ADDITIONAL DISTRICT JUDGE-II

Fair/Copy of judgment in
A.S. No.32/20 Dated: 07-12-2023
