

IN THE COURT OF THE MUNSIFF, VARKALA
PRESENT: Smt REKHA LAURIAN, MUNSIFF
FRIDAY 7th DECEMBER, 2022/ 16th AGRAHAYANA 1944
OS 553/2019

PLAINTIFFS:-

1. Mary Piusa, D/o Mary George,
aged 67 years, Saira mound,
Pallimukku, Pettah.
2. Rachel, D/o Mary George,
aged 65 years, 'Vinu Vihar', Nalanchira,
Thiruvananthapuram.
3. Kamilla, D/o Mary George, aged 64 years,
B.A.2, Nikunjam Morarch Kannamoola,
Medicalcollege.P.O., Thiruvananthapuram.
4. Regis, S/o Mary george, aged 62 years,
K.C.N.R.A.314, Thalayil Line Pettah,
Thiruvananthapuram.

By Adv. Sailamony Rajasekharan and D.Roy

DEFENDANTS:-

1. Elizebath George, W/o Lopus, aged 90 years,
Malika Veedu, Doves Cottage, Anjuthengu,
Meerankadavu, Kadakkavoor.
2. Joseph Francis, S/o Francis George,
aged 60 years, Molyland, Kaithamukku Pettah,
Thiruvananthapuram.
3. Wilson Francis, S/o Francis George, aged 57 of do-do
4. Tomy Francis, S/o Francis George, aged 55 years, of do-do
5. Moly, D/o francis George, aged 53 years of do-do
6. The Manager, Service Co-operative Bank, Ottoor, Varkala.

Addl.7. Freed Thomas, W/o Tomy Francis,
Molly land, Kaithamukku, Pettah, Thiruvananthapuram.

Addl.D8. Gavin Thomas, S/o Tomy Francis of do-do.

Addl.D9. ArunThomas, S/o Tomy Francis of do-do.

(Additional Defendant 7 to 9 impleaded as per the legal heirs of the deceased 4th Defendant as per order in IA 726/2016 dated 23.05.2018.)

Addl.D10. Galy, D/o Lopez, Sharan, Moongodu.

Addl.D11. Jessy, S/o Lopez, Sharan, Moongodu.

Addl.D12. Sunny, S/o Lopez, Sharan, Moongodu.

Addl.D13. George, S/o Lopez, Sharan, Moongodu

(Additional Defendant 10 to 13 impleaded as per the legal heirs of the deceased 4th Defendant as per order in IA 727/2016 dated 11.04.2017.)

By Adv. V.Ramesh (D1)

By Adv. Suresh Babu (D2 to D5)

By Adv. S.V.Shinu (D6)

By Adv. Divya.T.G

This original Suit having been finally heard on 07/12/2022 and court on the 09/12/2022 delivered the following

JUDGMENT

D6, D10 represented. Plaintiff absent no representation. Medical certificate is seen filed in IA.1/22. But the medical certificate is not in consonance with the averments in IA. Hence IA is dismissed. No evidence adduced. Hence suit is dismissed with costs.

Sd/-
REKHA LAURIAN
MUNSIFF, VARKALA

APPENDIX:-**Exhibits for the Plaintiff:-**

A1	19.07.2022	Copy of settlement deed No.4952/2011 of SRO, Varkala.
A2	05.12.2018	Tax receipt

Exhibits for the defendants:- Nil**Court Exhibits:-**

C1 and C1(a)	06.06.2019	Commission report and rough Sketch filed by Advocate Commissioner Anoop Kumar.
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Witness for the Plaintiff:-

PW1	25.11.2022	Arunachalam Pillai
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Witness for the defendant:- Nil

Id/-
MUNSIFF

// True Copy //

MUNSIFF

COPY OF JUDGMENT IN OS.553/2014
Dated: 09/12/2022.