



I.A.No.1 of 2025 in RSA NO. 970 OF 2018
&
RSA NO. 970 OF 2018

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2025:KER:31185

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE M.A.ABDUL HAKHIM

THURSDAY, THE 10TH DAY OF APRIL 2025 / 20TH CHAITHRA, 1947

RSA NO. 970 OF 2018

AGAINST THE JUDGMENT AND DECREE DATED 12.03.2018 IN AS NO.110 OF

2012 OF ADDITIONAL DISTRICT COURT-I,MAVELIKKARA

ARISING OUT OF THE JUDGMENT AND DECREE DATED 12.04.2012 IN

OS NO.193 OF 2004 OF MUNSIFF COURT,HARIPAD

APPELLANT/APPELLANT/DEFENDANT:

PONNAPPAN,
AGED 67 YEARS
S/O PAPPU, PUTHENPARAMBIL VEEDU, ERICKAVU MURI, KUMARAPURAM
VILLAGE, KARTHIKAPALLY TALUK.

BY ADVS.
GEORGE VARGHESE (PERUMPALLIKUTTIYIL)
A.R.DILEEP
P.J.JOE PAUL

RESPONDENT/RESPONDENT/PLAINTIFF:

SUKUMARAN,
S/O PAPPU, OTTATHENGIL HOUSE, THOTTAPPALLY MURI, PURAKKAD
VILLAGE-688561.

BY ADVS.
SRI.AJITH VISWANATHAN
SRI.P.VISWANATHAN

THIS REGULAR SECOND APPEAL HAVING COME UP FOR ADMISSION ON
10.04.2025, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:



I.A.No.1 of 2025 in RSA NO. 970 OF 2018
&
RSA NO. 970 OF 2018

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2025:KER:31185

JUDGMENT

The parties have filed a Compromise Petition as I.A.No.1 of 2025, settling the subject matter of the Appeal. Hence, this Appeal is disposed of in accordance with the terms of the Compromise Petition. I.A.No.1 of 2025 shall form part of the decree.

Sd/-

M.A.ABDUL HAKHIM

JUDGE

Shg/



E-IA NO : IA-202513927

BEFORE THE HONOURABLE HIGH COURT OF KERALA AT ERNAKULAM

IA No 1 Of Year 2025

In

RSA No 970 Of Year 2018

Shri. PONNAPPAN,

APPLICANT / APPELLANT (P1)

Vs

Shri. SUKUMARAN,

RESPONDENT / RESPONDENT

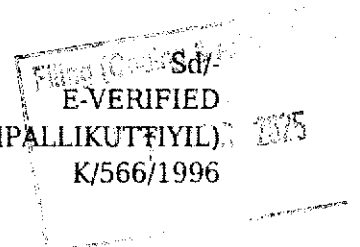
RECORD COMPROMISE

**COMPROMISE PETITION FILED UNDER ORDER XXIII RULE 1 READ WITH
SECTION 151 OF THE CODE OF CIVIL PROCEDURE, 1908**

FEES PAID & STATUS - 10 (Success)

GEORGE VARGHESE(PERUMPALLIKUTTIYIL)

K/566/1996



Prasanna
Geoffrey with W.S. Varghese



BEFORE THE HONOURABLE HIGH COURT OF KERALA AT ERNAKULAM

IA No 1 Of Year 2025

In

RSA No 970 Of Year 2018

Shri. PONNAPPAN, : APPLICANT / APPELLANT (P1)

V/S

Shri. SUKUMARAN, : RESPONDENT / RESPONDENT

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Sd/-
E-VERIFIED
GEORGE VARGHESE(PERUMPALLIKUTTIYIL)
K/566/1996

BEFORE THE HONOURABLE HIGH COURT OF KERALA AT ERNAKULAM

I.A.No. \ of 2025
 In

R.S.A.No. 970 of 2018

Applicant/Appellant:

Ponnappan,
S/o Pappu, Puthenparambil Veedu,
Erickavu Muri, Kumarapuram Village,
Karthikapally Taluk.

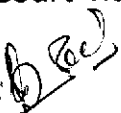
Respondent/ Respondent:

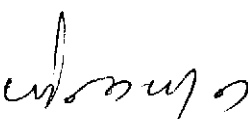
Sukumaran,
S/o Pappu, Ottathengil House,
Thottappally Muri, Purakkad Village.

COMPROMISE PETITION FILED UNDER ORDER XXIII RULE 1 READ WITH
SECTION 151 OF THE CODE OF CIVIL PROCEDURE, 1908

Applicant and respondent herein are the Appellant and Respondent respectively in the above appeal. The above appeal arises out of the common Judgment dated 12.03.2018 in A.S.No. 110/2012 and in A.S No. 111/2012 on the file of the Court of Addl. District Judge- I, Mavelikkara which in turn arises out of the Judgments dated 12.04.2012 in O. S. No. 193/2004 and O.S No. 225/1996 of the Munsiff's Court, Haripad. The said suits were filed by the respondent herein against the applicant herein for declaration of title, recovery of possession, Fixation of boundary and for Injunction.

The defendant in the suit, who is the applicant herein entered appearance and filed a written statement. In the written statement, the defendant claimed adverse possession over the plaint schedule property. The Trial Court vide its common Judgment dated 12.04.2012 allowed the suit filed

Respondent: Sukumaran: 

Appellant: Ponnappan: 

2.

by the Respondent/ Plaintiff. The decree in both the suit and were carried in Appeal by the applicant/Defendant before the Addl. District Court, Mavelikara. The Lower Appellate Court vide its common Judgment in A.S No. 110/2012 and A.S No. 111/2012 dated 12.03.2018 confirmed the decree and judgment of the Trial Court. The Applicant/defendant carried the matter in appeal before this Honourable Court.

During the pendency of the appeals, the respondent executed Sale Deeds Nos. 2149/1/2024 and 2150/1/2024 dated 21.12.2024 at the Haripad Sub-Registrar's Office, conveyed the disputed property to Seena R and Anand Simbo, the appellant's daughter and son, respectively. Thereby resolved all the disputes between the parties.

Further the Parties hereby agree that there is no further disputes/claims subsisting between the parties in respect of the properties covered by the abovenumbered deed and both the parties agree that they shall not raise any claim against each other in future.

Therefore it is humbly submitted that in the above circumstances, this Honourable Court may be pleased to pass to pass a decree in terms of the compromise entered between the parties.

Dated this the 7th day of January, 2025.

Applicant/Appellant

Ponnappan

Counsel for the Applicant

Ad. George Varughese Perumpallikuttal
(K/566/1996)

Respondent/ Respondent

Sukumaran

ASIRU NISWANATHAN
K/580/2016

Counsel for the Respondent

BIJU. A.N
ADVOCATE

KAYAMKULAM/MAVELIKARA
Roll No: K/680/2011