

In the High Court of Travancore-Cochin
Before

Their Lordships *The Hon'ble Shri. K.S. Govinda Pillai, Judge &
The Hon'ble Shri. Joseph Vithayathil, Judge

A.S. 81 of 1950

O.S. 241 of 1123, Pri. Munsiff's Court, Shertallai.

Appellant - plaintiff:-

Narayanan Sankara Panickar residing at Kannethu Veetil alias
Kaliathu, Perumbalam Muri, Vatuthala Mattathilbhagam Pakuthy,
Shertallai.

By Advocate Shri K.M. Narayanan Nair

Respondents - defendants 2 to 13:-

1. Narayanan Vasudevan Pillai residing at Kakkara Veetil alias
Thattaril, Kodanthuruthu Muri, Thuravoor North Pakuthy, Shertallai.
2. Narayanan Sankara Pillai of Do.
3. Kutty Amma Bhargavi Amma of Do.
4. Bhargavi Amma Thankamma of Do.
5. Bhargavi Amma Sarcjini Amma of Do.
6. Govindan Kesava Pillai residing at Kalappurakkal alias Cheru-
thudi Veetil, Aroor Muri and Pakuthy, Do. Taluk.
7. Govindan Neelakanta Pillai of Do.
8. Kavamma Karthyayani Amma of Do.
9. Govindan Prabhakaran Nair of Do.
10. Kavamma Lekshmi Amma of Do.
11. Govindan Parameswaran Nair of Do. minor.
12. Lekshmi Amma Savithri Amma of Do. minor.

Guardian of minor respondents 11 and 12 is their mother the
10th respondent.

1st respondent by Advocate Shri P. Narayana Pillai

This appeal suit having been heard on 1-7-1953, the court on
the same day delivered the following:-

Judgment

The plaintiff is the appellant. His prayer is only for a remand

for his evidence. He had to produce copy of the decree in C.S.703 of 1113 of the Shertallai Munsiff's Court. He got a copy only after the suit was decreed on 30-11-1124 though he had applied for the same on 14-2-1124. We got this information from the copy obtained by the party and shown to us at the time of argument. He was however negligent to some extent and so we can allow a remand only on terms. If he pays Rs.40 to the other side towards the costs of this court on or before 10-7-1953, the decree of the lower court will stand reversed and the case sent back for fresh trial and disposal. In that event there will be no further order as to the costs of this court. The institution fees will in the event of remand be refunded to the appellant. If the costs ordered are not paid the appeal will stand dismissed with costs.

Sd.K.S.Govinda Pillai, Judge
Sd.Joseph Vithayathil, Judge

(True copy)

1st July 1953

1st respondent's advocate Shri P.Narayana Pillai ~~xxx777122~~ states that he received on 7-7-1953 Rs.40 as costs of the appeal from Shri K.N.Narayanan Nair, the advocate for the appellant.

Sd.Registrar.

Compared by:-

M. S. Ramaswami

Asst. Registrar for Registrar

A.S.31 of 1950

Judgment.