

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.SOMARAJAN

MONDAY, THE 30TH DAY OF SEPTEMBER 2019 / 8TH ASWINA, 1941

RSA.No.483 OF 2011

AGAINST THE JUDGMENT & DECREE DATED 04-11-2010 IN AS 16/2010 OF  
SUB COURT, PERUMBAVOOR

AGAINST THE JUDGMENT & DECREE DATED 08-12-2009 IN OS 262/2004 OF  
MUNSIFF COURT, PERUMBAVOOR

APPELLANT/PLAINTIFF:

1        GOPALAN, (DIED) LRs IMPEADED  
          AGED 54 YEARS, COOLIE, SON OF KUNJAN, ELAVUNKUDY  
          HOUSE, VENGOLA KARA,, VENGOLA VILLAGE, KUNNATHUNADU  
          TALUK.

ADDL. APPELLANTS 2 TO 5

2        OMANA GOPALAN,  
          W/O.LATE GOPALAN E.K., AGED 64 YEARS, ELAVUNKUDY  
          HOUSE, VENGOLA KARA, VENGOLA VILLAGE, KUNNATHUNADU  
          TALUK,-683 556.

3        SINI E.G.,  
          W/O.SHAJI K.G., AGED 43 YEARS, KARUKAPPILLY HOUSE,  
          VALAYANCHIRANGARA P.O., ERNAKULAM-683 556.

4        SIMIGOPAL,  
          W/O.GIREESH T.S., THAIPURAYIL HOUSE, PALIYATHURUTHU  
          P.O., VADAKKEKARA, N.PARUR, PIN-683 522.

5        SIMAL E.G.,  
          S/O.LATE GOPALAN E.K., AGED 34 YEARS, ELAVUNKUDY  
          HOUSE, VENGOLA KARA, VENGOLA VILLAGE, KUNNATHUNADU  
          TALUK,-683 556.

(ADDL.APPELLANTS 2 TO 5 ARE IMPEADED AS LEGAL HEIRS  
OF DECEASED SOLE APPELLANT AS PER ORDER DATED  
02.08.2019 IN IA.NO.1/2019 IN RSA.483/2011.)

BY ADVS.

SRI.A.BALAGOPALAN    ]  
SRI.M.N.MANMADAN    ] ADDL.A2 TO A5  
SMT.P.SEENA            ]

RESPONDENT/DEFENDANT:

RAJAPPAN,  
AGED 62 YEARS, COOLIE, S/O.KUNJAN,ELAVUMKUDY  
HOUSE, VENGOLA PO, , VENGOLA VILLAGE, KUNNATHUNADU  
TALUK, , PIN 683 554.

R1 BY ADV. SRI.GEORGE VARGHESE KIZHAKKAMBALAM  
R1 BY ADV. SRI.V.RAJENDRAN PERUMBAVOOR

THIS REGULAR SECOND APPEAL HAVING BEEN FINALLY HEARD ON  
30.09.2019, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**JUDGMENT**

Appellant and counsel remained absent. A junior advocate Smt.Seena appeared on behalf of the appellant, but not ready to argue the appeal. Appeal of the year 2011. Sufficient time was granted for final argument. As such, this court has no other option, but to dismiss the appeal for non prosecution.

Sd/-

**P . SOMARAJAN ,  
JUDGE**

pm

// TRUE COPY // PA TO JUDGE