

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE C.S.DIAS

MONDAY, THE 31<sup>ST</sup> DAY OF OCTOBER 2022 / 9TH KARTHIKA, 1944

OP(C) NO. 2706 OF 2013

AGAINST THE ORDER DATED 14.11.2012 IN C.M.A. 7/2012 OF DISTRICT  
& SESSIONS COURT, ALAPPUZHA

PETITIONER/3RD RESPONDENT/ ADDL. 3<sup>RD</sup> DEFENDANT:

JAINAMMA JOB,  
AGED 49 YEARS,  
W/O JOB, HOUSEWIFE, RESIDING AT  
VALIYAVEETIL, PUNNAPRA.P.O,  
ALAPPUZHA.

BY ADVS. SRI.T.JAYAKRISHNAN  
SRI.R.KRISHNAKUMAR CHERTHALA

RESPONDENTS/APPELLANT & RESPONDENTS 1 & 2/PLAINTIFF & DEFENDANTS  
1 & 2:

- 1 JAMES,  
AGED 57 YEARS,  
S/O.CHACKO,KOCHEKKARAN VEETIL,  
PUNNAPRA NORTH.P.O,  
ALAPPUZHA-688014.
- 2 MARY MAGLIN LUGIA @ THANKAMMA  
AGED 71 YEARS,  
W/O.PETER, RESIDING AT KRUMANCHERY  
VEETIL, EZHUPUNNA.P.O,  
CHERTHALA, PIN-688550.
- 3 BINOY,  
AGED 44 YEARS,  
ARASARKADAVIL, PUNNAPRA.P.O, ALAPPUZHA-688004.

BY ADV SMT.V.GEETHA POTTI

THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON  
31.10.2022, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

*Dated this the 31<sup>st</sup> day of October,2022*

## **J U D G M E N T**

The original petition is filed challenging the judgment dated 14.11.2012 in C.M.A.No.7/2012(Ext.P5) of the Court of the District Judge, Alappuzha.

2. Pursuant to the order dated 25.10.2022 passed by this Court, the learned Principal Munsiff, Alappuzha, has informed this Court that O.S.No.71/2011 was dismissed as early as on 21.08.2015.

3. In the light of the above communication, I hold that nothing further survives in the original petition.

In the result, without prejudice to the right of the petitioner to challenge any subsequent order/judgment passed in the suit, the original petition is dismissed as infructuous.

Sd/-

**C.S.DIAS,JUDGE**

DST/31.10.22

//True copy/

P.A.To Judge