**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT**

**THE HONOURABLE MR. JUSTICE P.SOMARAJAN**

**THURSDAY, THE 23RD DAY OF FEBRUARY 2023 / 4TH PHALGUNA, 1944**

**RFA NO. 436 OF 2006**

**AGAINST THE JUDGMENT DATED 30/03/2002 IN O.S.NO.24/1997 OF SUB COURT, TIRUR**

**APPELLANTS/DEFENDANTS:**

1 SATHYARAJAN,
S/O.KRISHNA VILASAM VEETTIL DAMODARAN,
AGED 54 YEARS,
RESIDING AT AMBILI NIVAS, KALADI AMSOM,
KIZHMURI DESOM, PONANI TALUK

2 PONNAMMA,
AGED 42 YEARS,
W/O.D.SATHYARAJAN,
RESIDING AT AMBILIY NIVAS, KALADI AMSOM,
KIZHMURI DESOM,
PONNANI TALUK

BY ADV SRI.LEO GEORGE

**RESPONDENT/PLAINTIFF:**

THANKAMANI,
W/OK.P SURENDRAN,
AGED 34 YEARS,
RESIDING AT KARIPPARAMBIL HOUSE,
EDAPAM AMSOM, THUYAM DESOM,
PONANI TALUK

BY ADV SRI.P.CHANDRASEKHAR

THIS REGULAR FIRST APPEAL HAVING COME UP FOR HEARING ON 23.02.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

# JUDGMENT

The appellant and counsel remained absent. Nobody even represented the matter. This is the second time the matter came up for hearing and it is a targeted case. The appeal is of the year 2006. Now, almost 16 years have already elapsed. The counsel for the respondent was present in person and ready with the matter. As such, this Court has no other option but to dismiss the appeal for non-prosecution. Hence, the appeal is dismissed for non-prosecution.

**Sd/-**

**P.SOMARAJAN**

**JUDGE**

rkr-23/02/23