

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE C.K.ABDUL REHIM
&
THE HONOURABLE MR. JUSTICE K.RAMAKRISHNAN

WEDNESDAY, THE 27TH DAY OF MAY 2015/6TH JYAISHTA, 1937

Mat.Appeal.No. 238 of 2009 ()

AGAINST THE ORDER IN OP 162/2002 of FAMILY COURT,THRISSUR
DATED 18-04-2008

APPELLANT/RESPONDENT:

SUBAIR, S/O.HASSAN, AGED 32 YEARS,
THOTTAPARAMBIL HOUSE, P.O.MANGALAM DAM, VADAKKEKALAM,
VANDAZHI VILLAGE, ALATHUR TALUK, PALAKKAD DISTRICT.

BY ADVS.RAJITHA R
SRI.P.SANTHOSH (PODUVAL)

RESPONDENTS/PETITIONERS:

1. RAMLA, D/O.MOHAMMED,
AGED 24 YEARS, KOTTEKKATVALAPPIL HOUSE, NEELIPPARA,
VANIYAMPARA P.O., PEECHI VILLAGE, TRISSUR.

2. ANSIL (MINOR), S/O.SUBAIR, AGED 3 YEARS,
REPRESENTED BY GUARDIAN MOTHER/IST RESPONDENT.

3. KHADEEJA (DIED), W/O.HASSAN,
THOTTAPARAMBIL HOUSE, P.O.MANGALAM DAM, VADAKKEKALAM
VANDAZHI VILLAGE, ALATHUR TALUK, PALAKKAD DISTRICT.

R1-2 BY ADV. SRI.M.R.VENUGOPAL
R1-2 BY ADV. SMT.DHANYA P.ASHOKAN

THIS MATRIMONIAL APPEAL HAVING BEEN FINALLY HEARD ON
27-05-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

Mat.Appeal.No. 238 of 2009 ()

APPENDIX

PETITIONER'S ANNEXURES:

ANNEXURE-I TRUE COPY OF THE C.T. REPORT DATED 8.12.2001

ANNEXURE-II TRUE COPY OF THE CERTIFICATE DATED 9.4.2002.

ANNEXURE-III TRUE COPY OF THE PROCEDURE RECOMMENDATION FORM DATED
2.5.2002.

ANNEXURE-IV TRUE COPY OF THE APPLICATION DATED 15.1.2009.

/TRUE COPY/

P.S TO JUDGE

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C.K. ABDUL REHIM & K. RAMAKRISHNAN, JJ.

.....
Mat.A.No.238 of 2009
.....

Dated this the 27th day of May, 2015.

JUDGMENT

Ramakrishnan, J:

The 1st respondent in O.P.No.162/2002 on the file of the Family Court, Thrissur is the appellant herein.

2. The above petition was filed by the respondents herein seeking past maintenance and also for return of gold ornaments and by the impugned judgment, the petition was allowed directing the appellant herein to pay past maintenance at the rate of ₹500/- and ₹300/- for 32 months to the petitioners respectively in the lower court and also granted a decree directing the appellant to return 13 sovereigns of gold ornaments or in the alternative to pay ₹39,000/- with interest at 6% from the date of decree being the value of the gold ornaments and ₹5,000/- being the value of the articles. Aggrieved by the same, the present appeal has been filed.

During the pendency of the appeal, the matter has been settled between the parties and they have started residing together. So they filed I.A.No.1666/2015 for recording

compromise and setting aside the order passed by the court below. In view of the fact that the matter has been settled between the parties and they are residing together and settlement is for the benefit of both the parties, the settlement is recorded and the appeal is allowed and the order passed by the court below is set aside and the original petition is dismissed. Terms of the settlement contained in I.A.No.1666/2015 will form part of this judgment.

Sd/-

C.K. ABDUL REHIM, JUDGE.

Sd/-

K. RAMAKRISHNAN, JUDGE.

/true copy/

P.S to Judge

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