

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 22ND DAY OF JULY 2015/31ST ASHADHA, 1937

OP(C).No. 370 of 2015

OS 617/2012 of PRINCIPAL SUB COURT, PALAKKAD

PETITIONER(S):

1. M.MANOJ, AGED 42 YEARS,
S/O KRISHNAVENI, MUDAPPALAVEEDU, MAPPAD,
KIZHAKKENCHERRY AMSOM, DESOM, KIZHAKKENCHERRY POST,
ALATHUR TALUK, PALAKKAD DISTRICT-678684.
2. P.K.MURALIDHARAN,
S/O MADHAVAN MENON, SWATHI, PUZHAKALIDOM,
VADAKKENCHERY POST, ALATHUR TALUK, PALAKKAD DISTRICT,
PIN:678 683.

BY ADV. SRI.P.R.VENKETESH

RESPONDENT(S):

1. PREMA,
W/O MANOJ, CHOZHUYAKATTIL, MANGALAM AMSOM,
DESOM, ANJUMOORTHY POST, ALATHUR TALUK,
PALAKKAD DISTRICT-678682.
2. MANOJ,
S/O VISWANATHAN, KALLAYAKATTIL, MANGALAM AMSOM, DESOM,
ANJUMOORTHY POST, ALATHUR TALUK,
PALAKKAD DISTRICT-678682.

R2 BY ADV. SRI.J.JAYAKUMAR

**THIS OP (CIVIL) HAVING BEEN FINALLY HEARD ON 22-07-2015, THE COURT
ON THE SAME DAY DELIVERED THE FOLLOWING:**

PJ

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1:** TRUE COPY OF THE PLAINT IN OS NO.617/2012 ON THE FILES OF THE SUB COURT, PALAKKAD.
- EXHIBIT P2:** TRUE COPY OF WRITTEN STATEMENT FILED BY RESPONDENT NO.1 IN OS NO.617/2012 ON THE FILES OF THE SUB COURT, PALAKKAD.
- EXHIBIT P3:** TRUE COPY OF WRITTEN STATEMENT FILED BY RESPONDENT NO.2 IN OS NO.617/2012 ON THE FILES OF THE SUB COURT, PALAKKAD.
- EXHIBIT P4:** TRUE COPY OF O.P.NO.1027/2012 FILED BY THE 1ST RESPONDENT BEFORE THE FAMILY COURT, PALAKKAD.
- EXHIBIT P5:** TRUE COPY OF THE COUNTER STATEMENT FILED BY THE 2ND RESPONDENT IN O.P.NO.1027/2012 BEFORE THE FAMILY COURT, PALAKKAD.
- EXHIBIT P6:** TRUE COPY OF THE JUDGMENT DATED 13.1.2015 IN TR.PC NO.50/2014 OF THIS HON'BLE COURT.

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

B.KEMAL PASHA, J.

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O.P.(C).No.370 of 2015

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Dated this the 22nd day of July, 2015

J U D G M E N T

The matter has been referred for mediation. It seems that the 1st respondent wife has not cared to attend the mediation. She has not entered appearance before this Court also in spite of notice. It is discernible from the records and has come out from the submissions made by the learned counsel for the petitioners herein that the continued pendency of O.P.No.1027 of 2012 before the Family Court, Palakkad, adversely affects the petitioners, who are the plaintiffs in O.S.No.617 of 2012 of the Subordinate Judge's Court, Palakkad. In order to have an effective disposal of O.S.No.617 of 2012, the disposal of O.P.No.1027 of 2012 of the Family Court, Palakkad is required. Matters being so, this Court is of the view that the Family Court, Palakkad can be directed to expedite the

disposal of O.P.No.1027 of 2012.

In the result, this Original Petition (Civil) is disposed of by directing the Family Court, Palakkad to dispose of O.P.No.1027 of 2012, as expeditiously as possible, at any rate within a period of three months from the date of receipt of a copy of this judgment. Till then the proceedings in O.S.No.617 of 2012 of the Subordinate Judge's Court, Palakkad shall stand stayed.

Sd/-

B.KEMAL PASHA
JUDGE

DSV/22/7/15