IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 28TH DAY OF OCTOBER 2015/6TH KARTHIKA, 1937

OP(Crl.).No. 188 of 2015 (Q)

CRL.M.P.NO.771/2014 IN MC 282/2014 of FAMILY COURT, PALAKKAD

PETITIONER:

MUHAMMED RAFEEK, AGED 32 YEARS,
S/O.MOOSA, RESIDING AT NADUPATHIYIL VEEDU, KUTTIPPADAM,
MUTHALAMADA POST & VILLAGE, CHITTUR TALUK,
PALAKKAD DISTRICT.

BY ADVS.SRI.T.C.SURESH MENON
SRI.P.S.APPU

RESPONDENTS:

1. S.NESRINBANU
W/O.MUHAMMED RAFEEK.

2. SANFIYA (MINOR), D/O.S.NESRINBANU,
(MINOR 2ND RESPONDENT IS REPRESENTED HEREIN
BY HER GUARDIAN MOTHER THE 1ST RESPONDENT)
BOTH ARE RESIDING AT AZEEZ MANZIL,
VADUKAMPADAM, ANAMARI POST, KOLLENGODE VILLAGE,
CHITTUR TALUK, PALAKKAD DISTRICT, PIN. 678 506.

BY ADV. SRI.RAJESH SIVARAMANKUTTY
BY GOVERNMENT PLEADER SMT.SAREENA

THIS OP (CRIMINAL) HAVING BEEN FINALLY HEARD ON 28-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

DSV/31/10/15

OP(Crl.).No. 188 of 2015 (Q)

APPENDIX

PETITIONER'S EXHIBITS :

P1 - COPY OF THE M.C.NO.282/2014 ON THE FILE OF THE FAMILY COURT, PALAKKAD DATED 27.10.2014.

P2 - COPY OF THE ORDER IN CRL.M.P.NO.771/2014 IN MC NO.282/2014 ON THE FILE OF THE FAMILY COURT, PALAKKAD DATED 16.4.2015.

RESPONDENTS' EXHIBITS :

NIL

// True Copy //

P.A. To Judge

DSV/31/10/15

B.KEMAL PASHA, J.

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O.P.(Crl.).No.188 of 2015

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Dated this the 28th day of October, 2015

J U D G M E N T

Through Exhibit-P2 order, the Family Court, Palakkad has directed the petitioner herein to pay an amount of ₹3,000/- per month to the 1st respondent herein, who is the wife of the petitioner and an amount of ₹2,000/- per month to the 2nd respondent herein, who is their daughter. An amount of ₹10,000/- is ordered to be paid as the litigation expenses. The said arrangement has been made by the learned Family Court Judge just as an interim arrangement as the matter is being prolonged.

2. On hearing either side, this Court is of the view that presently there is nothing to interfere with Exhibit-P2 order. At the same time, it is open to the petitioner to adduce evidence before the court below in the matter to prove his income as well as the income, if any, being derived to the 1st

respondent herein. Till then, the petitioner shall continue to pay the said amounts as ordered by the court below through Exhibit-P2.

Matters being so, this O.P.(Crl.) is closed by directing the court below to dispose of the matter finally that too expeditiously, quite untrammelled by any of the observations made by the court below in the impugned order.

Sd/-

B. KEMAL PASHA
JUDGE

DSV/28/10/15

// True Copy //

P.A. To Judge