

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

MONDAY, THE 27TH DAY OF JULY 2015/5TH SRAVANA, 1937

OP(Crl.).No. 205 of 2015 (Q)

MC 38/2014 OF FAMILY COURT, MUVATTUPUZHA
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PETITIONER(S):

**SHINU KUMAR S.PILLAI,
S/O.SASIDHARAN PILLAI, KARIKKATHIL HOUSE, ERAM SOUTH,
CHATHANNOOR P.O., KOLLAM,
REPRESENTED BY POWER OF ATTORNEY HOLDER
SASIDAHARAN PILLAI, AGED 54 YEARS,
S/O.GOPINATHAN PILLAI, KALLUVILA VEEDU,
THAZHAM, CHATHANNOOR P.O., KOLLAM.**

**BY ADVS.SRI.JOHNSON GOMEZ
SRI.S.BIJU (KIZHAKKANELA)
SRI.S.SREEKUMAR (KOLLAM)
SRI.ANIL ELGIN
SRI.S.VINCENT
SRI.S.JOSE**

RESPONDENT(S):

**BINDU SUKUMARA PILLAI,
DAUGHTER OF LATE SUKUMARA PILLAI,
RESIDING AT SASTHAKUNNU, PERUMBALLOOR, MUVATTUPUZHA,
ERNAKULAM, PIN-686 673.**

**BY ADVS. SRI.M.M.MONAYE
SRI.M.PAUL VARGHESE
SRI.T.KOSHY**

**THIS OP (CRIMINAL) HAVING BEEN FINALLY HEARD ON
27-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

OP(Crl.).No. 205 of 2015 (Q)

APPENDIX

PETITIONER(S)' EXHIBITS

P1-A TRUE COPY OF THE ORIGINAL PETITION IN M.C.MO.38/2014 ON THE FILE OF THE FAMILY COURT, MUVATTUPUZHA FILED IN THE RESPONDENT.

P2-A TRUE COPY OF THE WRITTEN OBJECTION FILED BY THE PETITIONER HEREIN MC.NO.38/2014 BEFORE THE FAMILY COURT, MUVATTUPUZHA.

P3-A TRUE COPY OF CMP NO.187/2015 IN MC NO.38/2014 BEFORE THE FAMILY COURT, MUVATTUPUZHA.

P4-A TRUE COPY OF CMP NO.179/2015 IN MC NO.38/2014 PENDING BEFORE THE FAMILY COURT, MUVATTUPUZHA.

P5-A TRUE COPY OF CMP NO.180/2015 IN MC NO.38/2014 PENDING BEFORE THE FAMILY COURT, MUVATTUPUZHA

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msv/

ALEXANDER THOMAS, J.

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O.P. (Crl.) No.205 of 2015

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Dated this the 27th day of July, 2015

J U D G M E N T

The prayer in this Crl.M.C is as follows:

“a. To direct the family court, Muvattupuzha to consider and dispose of Exhibit P3, Exhibit P4 and Exhibit P5 applications, before passing final orders in M.C No.38/2015.

b. Issue such other order or direction that this Hon'ble Court may deem fit and proper in the nature and circumstance of the case.”

2. As directed by this Court, Family Court Muvattupuzha has submitted a report No.D No.560/2015 dt. 23.07.2015 to the registry of this Court, wherein it is inter alia stated that on 4.7.2015 the petitioner herein/respondent in M.C filed C.M.P No.179/2015 praying to adjourn the case to 17.7.2015, CMP No.180/2015 praying to recall PW1 for cross examination and CMP No.181/2015 praying to accept the written objection of the respondent in M.C No.38/2014 and that these three petitions came before the learned Magistrate on 6.7.2015 and that on that date those petitions were posted for objection and hearing to 10.7.2015, the date on which the MC was originally posted and that on 10.7.2015, the petitioner

herein/respondent in M.C has produced photocopy of the order of this Court dated 9.7.2015 deferring the further proceedings before court below, it was not possible to pass orders in those C.M.Ps on that day and posted the CMPs to 27.7.2015 and that accordingly those three applications stand posted to 27.7.15 etc.

2. Heard Sri. Johnson Gomez, learned counsel for the petitioner and Sri. M. M Monaye, learned counsel for the respondent.

3. Having regard to the totality of the facts and circumstances of this case and after duly advertng to the report dated 23.7.2015 of the Family Court, Muvattupuzha, it is ordered in the interest of justice that the Family Court, Muvattupuzha shall take up for consideration, those applications without any further delay and shall pass orders thereon after giving reasonable opportunity to both sides, without any further delay.

With these observations and directions, the Crl.M.C stands finally disposed of.

sd/-

sab

ALEXANDER THOMAS, JUDGE

