

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.T. SANKARAN
&
THE HONOURABLE MR. JUSTICE P.D. RAJAN

FRIDAY, THE 13TH DAY OF FEBRUARY 2015/24TH MAGHA, 1936

OP (FC).No. 34 of 2015 (R)

SEEKING FOR EARLY DISPOSAL OF OP NO.981/2012 ON THE FILE OF THE
FAMILY COURT, THIRUVALLA

PETITIONER/3RD RESPONDENT:

MOLLY KUTTY JOSE, AGED 50 YEARS
W/O. LATE JOSE PUNNEN, SANKARATHIL HOUSE
KIZHAKKUPURAM P.O., VETTOOR MURI
MALAYALAPPUZHA VILLAGE, KONNY TALUK
PATHANAMTHITTA DISTRICT.

BY ADVS. SRI.V.SETHUNATH
SRI.V.R.MANORANJAN (MUVATTUPUZHA)

RESPONDENT: PETITIONER:

SHYBY PAPPACHEN, AGED 30 YEARS
W/O. RIJO JOSE, VATTAMURUPPEL HOUSE
KUMBAZHA P.O. AND MURI, PATHANAMTHITTA VILLAGE
KOZHENCHERRY TALUK, PATHANAMTHITTA DISTRICT
PIN - 689 653.

THIS OP (FAMILY COURT) HAVING COME UP FOR ADMISSION ON
13-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

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APPENDIX

PETITIONER'S EXHIBITS

EXT.P1: TRUE COPY OF THE PETITION IN O.P NO.981/2012 ON THE FILE OF THE FAMILY COURT, THIRUVALLA.

EXT.P2: TRUE COPY OF THE COUNTER AFFIDAVIT AND OBJECTION FILED BY THE PETITIONER IN O.P NO.981/2012 ON THE FILE OF THE FAMILY COURT, THIRUVALLA.

RESPONDENT'S EXHIBITS: NIL

//TRUE COPY//

AHZ/

K.T.SANKARAN & P.D.RAJAN, JJ.

O.P.(F.C.)No.34 of 2015 (R)

Dated this the 13th day of February, 2015

JUDGMENT

The petitioner is the third respondent in O.P.No.981 of 2012 on the file of the Family Court, Thiruvalla. O.P.No.981 of 2012 was filed by the respondent against her husband, mother-in-law (the petitioner) and brother-in-law for realisation of the value of gold ornaments and patrimony together with interest. The case of the petitioner is that the respondent has colluded with her husband and has filed O.P.No.981 of 2012 and got an attachment of the properties belonging to the petitioner and others. The relief prayed for in the Original Petition (Family Court) is to dispose of O.P.No.981 of 2012 on the file of the Family Court, Thiruvalla as expeditiously as possible.

2. When the Original Petition came up for admission, a Division Bench of this Court directed the Registry to obtain a report from the Presiding Officer of the Family Court, Thiruvalla as to

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whether O.P.No.981 of 2012 is ripe for trial and if so, within what time the case can be disposed of.

3. A report is received from the Family Court, Pathanamthitta, wherein it is stated that O.P.No.981 of 2012 on the file of the Family Court, Thiruvalla was transferred to the Family Court, Pathanamthitta and the case was renumbered as O.P.No.203 of 2013. The learned Judge of the Family Court has stated in the report that eight months' time is required for completion of pre-trial steps, trial and final disposal of the Original Petition.

4. In the nature of the relief prayed for in the Original Petition (Family Court), we do not think it is necessary to issue notice to the respondent.

5. In the facts and circumstances, there will be a direction to the Family Court, Pathanamthitta to dispose of O.P.No.203 of 2013 as expeditiously as possible and, at any rate, on or before 31.7.2015. The petitioner shall produce certified copy of the judgment before the Family Court, Pathanamthitta. A true copy of

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the certified copy of the judgment shall be served on the learned counsel appearing for the petitioner in O.P.No.203 of 2013 as well as the other parties in that Original Petition and a memo to that effect shall be filed before the Family Court, Pathanamthitta.

The Original Petition (Family Court) is disposed of as above.

(K.T.SANKARAN)
Judge

(P.D.RAJAN)
Judge

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