

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.K.MOHANAN

&

THE HONOURABLE MR. JUSTICE P.D.RAJAN

FRIDAY, THE 6TH DAY OF MARCH 2015/15TH PHALGUNA, 1936

OP (FC).No. 61 of 2015 (R)

OPHMA 528/2014 of FAMILY COURT, MAVELIKKARA

PETITIONER(S)/PETITIONER:

SARIKA AGED 30 YEARS
D/O.PRASANNAKUMARI, PAWATHIL HOUSE, KEECHERIMELMURI
CHENGANNUR VILLAGE, CHENGANNUR TALUK
ALAPPUZHA DISTRICT.

BY ADV. SRI.K.N.RADHAKRISHNAN (THIRUVALLA)

RESPONDENT(S)/RESPONDENT:

RAJESHKUMAR, AGED 39 YEARS
S/O.ARAVINDAKSHAN NAIR
RESIDING AT GURUTHIYILMEENASHI, KUTTAMPEROOR P.O.
BUDAHNOOR, CHENGANNUR TALUK, ALAPPUZHA DISTRICT.

THIS OP (FAMILY COURT) HAVING COME UP FOR ADMISSION ON
06-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

OP (FC).No. 61 of 2015 (R)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXT.P-1: PHOTOCOPY OF PLAINT IN O.P (HMA) 528/14 OF FAMILY COURT,
MAVELIKKARA.

EXT.P-2: COPY OF SCAN REPORT FROM THE MUTHOOT MEDICAL CENTRE,
KOZHENCHERRY DATED 20.1.2015

RESPONDENT(S) ' EXHIBITS

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NIL.

TRUE COPY

PA TO JUDGE.

acd

V.K. MOHANAN & P.D. RAJAN, JJ.

O.P.(FC) No. 61 of 2015

Dated this the 6th day of March, 2015

JUDGMENT

V.K.Mohanana,J.

The petitioner herein preferred O.P.(HMA)No.528/2014 before the Family Court, Mavelikkara against her husband and the reliefs sought for in this O.P.(FC) is to issue a direction to the Family Court, Mavelikkara for an expeditious trial and disposal of O.P.(HMA)No.528/2014 as expeditiously as possible, at any rate, within a time fixed by this Court. When the above Original Petition came up for consideration, this Court directed the Registry to obtain a report from the Presiding Officer of the Family Court, Mavelikkara. Consequently, the Presiding Officer, Mavelikkara by his letter No.193/2015 dated 28.2.2015 reported that the above

referred O.P. for divorce was filed on 29.5.2014 and the same was posted for return of notice to the respondent on 26.8.2014 and thereafter, the O.P. was posted to 7.10.2014 for appearance of the parties on which date both the parties appeared and thereafter, they were directed to consult the Principal Counsellor for counselling and the case was posted for report of the Counsellor to 3.12.2014 and thus the Counsellor reported that both parties interested for getting divorce. Thereafter the case was posted to 7.2.2015 on which date the parties were referred for mediation and subsequently, the case stands posted on 6.4.2015 for report of mediation. Thus, it can be seen that the above O.P. was filed only on 29.5.2014 and immediately thereafter, the present O.P. is filed with such a prayer. The case, as per the report of the Presiding Officer, now stands posted on 6.4.2015 for report of

mediation. In such circumstances, this Court will not be justified in issuing any direction to take up the above O.P. in out of turn and to dispose the same. In the above case, even the pleadings are not completed. So, at this juncture, we are not inclined to issue any direction as prayed for. We hope that on completing the pleadings, the Court will dispose O.P.(HMA) No.528/2014 in accordance with the merit of the case.

O.P.(FC) is dismissed accordingly.

V.K. MOHANAN, JUDGE.

P.D. RAJAN, JUDGE.

acd

