

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.T.SANKARAN
&
THE HONOURABLE MR.JUSTICE K.HARILAL

FRIDAY, THE 20TH DAY OF MARCH 2015/29TH PHALGUNA, 1936

OP (FC).No. 95 of 2015 (R)

AGAINST THE ORDER IN OP NOS.963/2013 AND 27/2015 of
FAMILY COURT, PALAKKAD.

PETITIONER(S):

SETHUMADHAVAN, AGED 55 YEARS,
S/O.SIVARAMAN NAIR, SRUTHI, AMBAD,
THACHANGAD POST, MATHUR VILLAGE, PALAKKAD-678 571.

BY ADVS.SRI.JACOB SEBASTIAN
SMT.SHAMSEERA. C.ASHRAF
SRI.T.U.SUJITH KUMAR
SMT.ANU JACOB

RESPONDENT(S):

1. SUJATHA, AGED 48 YEARS,
W/O.SETHUMADHAVAN, SUJA NIVAS, AMBAD,
PALLANJATHANNUR POST, PALAKKAD - 678 575.

2. NIRMAL, AGED 17 YEARS,
S/O.SETHUMADHAVAN,
(MINOR) -DO- (2ND RESPONDNET IS REPRESENTED
BY MOTHER THE 1ST RESPONDENT)

THIS OP (FAMILY COURT) HAVING COME UP FOR
ADMISSION ON 20-03-2015, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:

OP (FC) .No. 95 of 2015 (R)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXT.P1- A TRUE COPY OF THE PETITION IN O.P.NO.963/2013 IN
THE FAMILY COURT PALAKKAD.

EXT.P2- A TRUE COPY OF THE ORDER DATED 26.7.2008 IN
ORIGINAL PETITION NO. 518/2007 OF THE FAMILY COURT,
PALAKKAD.

EXT.P3- A TRUE COY OF THE PETITION N O.P.NO.27/2015 IN
THE FAMILY COURT, PALAKKAD.

RESPONDENT(S) ' EXHIBITS

NIL

//true copy//

P.S. to Judge

K.T. SANKARAN & K. HARILAL, JJ.

O.P.(FC) No. 95 of 2015-R

Dated this the 20th day of March, 2015

JUDGMENT

Sankaran, J.

The petitioner filed O.P.No.963 of 2013 against the 1st respondent for divorce and the same is pending before the Family Court, Palakkad. The respondents had filed O.P.No.518 of 2007 before the same Court for maintenance and that Original Petition was allowed as per the order dated 26/7/2008. The petitioner filed O.P.No.27 of 2015 before the Family Court, Palakkad, for cancellation of the maintenance allowance ordered to the respondents in O.P.No.518 of 2007. The prayer in the Original Petition is to issue a direction to the Family Court, Palakkad, to try and dispose of O.P.Nos.963 of 2013 and 27 of 2015 as expeditiously as possible and within a time frame.

2. When the Original Petition came up for admission, a

Division Bench of this Court called for a report from the Family Court with respect to the prayer made by the petitioner. The Presiding Officer of the Family Court, Palakkad, sent a report to this Court stating that O.P.No.963 of 2013 is ripe for trial and that can be disposed of within 45 days. The learned Judge stated in the report that O.P.No.27 of 2015 was filed only on 11/2/2015 and the case is posted to 29/5/2015 for counselling. Therefore, it is not possible to dispose of O.P.No.27 of 2015 before conducting the counselling.

3. In the manner in which we propose to dispose of the Original Petition, it is not necessary to issue notice to the respondents.

4. In the facts and circumstances, there will be a direction to the Family Court, Palakkad, to dispose of O.P.No.963 of 2013 as expeditiously as possible and at any rate within a period of two months from the date of receipt of a copy of this judgment. The Family Court shall also expedite the disposal of O.P.No.27 of 2015 after the counselling is over.

5. The petitioner shall produce a certified copy of this judgment before the Family Court and he shall serve a

true copy of the same to the learned counsel for the respondents before the Family Court and he shall produce proof for the same before the Family Court.

This revision petition is disposed of accordingly.

Sd/-
(K.T. SANKARAN, JUDGE)

Sd/-
(K. HARILAL, JUDGE)

Nan/

//true copy//

P.S. to Judge