

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.T.SANKARAN
&
THE HONOURABLE MR. JUSTICE BABU MATHEW P.JOSEPH

TUESDAY, THE 17TH DAY OF MARCH 2015/26TH PHALGUNA, 1936

OP (FC).No. 102 of 2015 (R)

OP 965/2012 of FAMILY COURT, PALAKKAD

PETITIONER:

VINOD DAMODHARAN, S/O V.R.DAMODHARAN, AGED 39 YEARS,
KARMEL HOUSE, AMMALLOOR, MANJADI P.O., THIRUVALLA - 689105.

BY ADV. SMT.BINDU GEORGE

RESPONDENT:

SHEEJA, D/O JOHNSON, W/O VINOD DAMODHARAN AGED 31 YEARS,
PAURNAMI HOUSE, PAYATTAMKUNNU, DHONI P.O., AKATHETHARA,
PALAKKAD PIN- 678009, NOW R/A PAURNAMI HOUSE,
SASTHAMNAGAR MURIYIL, AKATHETHARA P.O.,
PALAKKAD, PIN-678008.

THIS OP (FAMILY COURT) HAVING COME UP FOR ADMISSION ON
17-03-2015, A/W OP(FC) NO.103/15, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:

OP (FC).No. 102 of 2015 (R)

APPENDIX

PETITIONER'S EXTS

EXT.P1:- TRUE COPY OF THE PETITIONER IN OP 965/12 ON THE FILE OF FAMILY COURT, PALAKKAD.

EXT.P2:- TRUE COPY OF THE COUNTER STATEMENT IN OP 965/12 ON THE FILE OF THE FAMILY COURT, PALAKKAD.

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**K. T. SANKARAN
&
BABU MATHEW P. JOSEPH, JJ.**

O. P. (FC) Nos.102 & 103 of 2015

Dated this the 17th day of March, 2015

JUDGMENT

K. T. Sankaran, J.

The parties in these Original Petitions are the same. In the manner in which we propose to dispose of the Original Petitions, we do not think it necessary to issue notice to the respondent.

2. The petitioner filed O.P. No.965 of 2012 before the Family Court, Palakkad for passing a preliminary decree directing division of the petition schedule properties. It was alleged that the petition schedule properties belonged to the petitioner and the respondent jointly. The respondents in O.P. (FC) No.103 of 2015 filed M.C. No.3 of 2012 before the Family Court, Palakkad claiming maintenance. Apart from these two cases, O.P. Nos.1066 of 2012 and 1075 of 2012 on the file of the Family Court, Palakkad are pending between

the parties. It is submitted by the learned counsel for the petitioner that O.P. Nos.1066 of 2012 and 1075 of 2012 are posted for trial on 19/03/2015. It is also submitted by the learned counsel for the petitioner that O.P. No.965 of 2012 and M.C. No.3 of 2012 are ripe for trial.

3. The reliefs sought for in O.P.(FC) 102 of 2015 is to issue a direction to the Family Court, Palakkad to dispose of O.P. No.965 of 2012 expeditiously. In O.P.(FC) No.103 of 2015, the prayer made by the petitioner is to issue a direction to the Family Court, Palakkad to dispose of M.C. No.3 of 2012 within a time limit.

4. In the facts and circumstances, there will be a direction to the Family Court, Palakkad to dispose of O.P. No.965 of 2012 and M.C. No.3 of 2012 as expeditiously as possible. The petitioner shall produce certified copy of this judgment before the Family Court and he shall serve a true copy of the judgment to the learned counsel for the respondent and shall produce proof of the same before the

Family Court,

The Original Petitions are disposed of as above.

Sd/-
K. T. SANKARAN
JUDGE

Sd/-
BABU MATHEW P. JOSEPH
JUDGE

kns/-

//TRUE COPY//

P.A. TO JUDGE