

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 7TH DAY OF APRIL 2015/17TH CHAITHRA, 1937

OP (FC).No. 117 of 2015 (R)

PETITIONER:

KEERTHY, D/O.STANLY JOHN AGED 22 YEARS
D.R.BHAVAN, POTTAVILA
VILAPPILSALA P.O. THIRUVANANTHAPURAM - 695 573.

BY ADV. SRI.AYYAPPAN SANKAR

RESPONDENTS:

1. JALAJA, W/O.STANLY JOHN, AGED 44 YEARS
S.J.BHAVAN, POTTAVILA
VILAPPILSALA P.O. THIRUVANANTHAPURAM - 695 573.
2. STANLY JOHN, S/O.LATE DAVEED, AGED 50 YEARS
D.R.BHAVAN, POTTAVILA
VILAPPILSALA P.O. THIRUVANANTHAPURAM - 695 573.

THIS OP (FAMILY COURT) HAVING COME UP FOR ADMISSION ON
07-04-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1 - TRUE PHOTOCOPY OF INJUNCTION PETITION FILED AS IA NO.3512/2012 IN O.P. NO.1859/12 IN THE FAMILY COURT, THIRUVANANTHAPURAM.

EXT.P2 - TRUE PHOTOCOPY OF ATTACHMENT PETITION FILED AS IA NO.3511/12 IN O.P. NO.1859/2012 IN THE FAMILY COURT, THIRUVANANTHAPURAM.

EXT.P3 - TRUE PHOTOCOPY OF EXPARTE ORDER OF INJUNCTION DATED 26.11.2012 IN IA NO.3512/12 IN O.P. NO.1859/2012 OF THE FAMILY COURT, THIRUVANANTHAPURAM.

EXT.P4 - TRUE PHOTOCOPY OF EXPARTE ORDER OF CONDITIONAL ATTACHMENT BEFORE JUDGMENT DATED 27.11.2012 OF FAMILY COURT, THIRUVANANTHAPURAM IN I.A.NO.3511/2012 IN O.P. NO.1859/12.

EXT.P5 - TRUE PHOTOCOPY OF TAX RECEIPT DATED 17-3-2015 ISSUED FROM VILLAGE OFFICE VILAPPIL.

EXT.P5(A) - TRUE PHOTOCOPY OF POSSESSION CERTIFICATE DATED 4.3.2014 ISSUED FROM VILLAGE OFFICE, VILAPPIL.

EXT.P6 - TRUE PHOTOCOPY OF IMPEADING PETITION FILED ON 21.1.2013 IN O.P. NO.1859/12 IN THE FAMILY COURT, THIRUVANANTHAPURAM.

EXT.P7 - TRUE PHOTOCOPY OF OBJECTION DATED 7.2.2013 FILED TO EXHIBIT-P2 PETITION.

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

O. P. (FC) No.117 of 2015

Dated this the 7th day of April, 2015

JUDGMENT

K. T. Sankaran, J.

The first respondent and her minor son Adarsh filed O.P. No.1859 of 2012 against the second respondent Stanly John for recovery of money, value of ornaments and arrears of maintenance. In O.P. No.1859 of 2012, the petitioners in the O.P. filed I.A. No.3512 of 2012 for an injunction and I.A. No.3511 of 2012 for attachment before judgment. Alleging that one of the items sought to be attached belongs to Keerthy (the petitioner), she filed an application for impleading and she got herself impleaded as an additional respondent in O.P. No.1859 of 2012.

2. The prayer in this O.P.(FC) is to hear and pass final orders on the merits in I.A. Nos.3511 of 2012 and 3512 of 2012.

3. When the O.P.(FC) came up for admission, a Division Bench of this Court called for a report from the Family Court, Thiruvananthapuram. The Judge, Family Court, Thiruvananthapuram reported that though objections were filed by the parties, none was ready to argue the interim applications. It is also mentioned in the report that if both parties are ready, the matter will be heard at the earliest possible opportunity.

4. Taking into account the facts and circumstances of the case, there will be a direction to the Family Court, Thiruvananthapuram to hear and dispose of I.A. Nos.3511 of 2012 and 3512 of 2012 in O.P. No.1859 of 2012 as expeditiously as possible, after affording an opportunity of being heard to all the parties. The Family Court need not grant unnecessary adjournments to any of the parties. Every effort shall be made to dispose of the applications within a period of three months. The petitioner shall produce a certified copy of this judgment before the Family Court and she shall serve a true copy of the judgment to all the other

parties in the case and produce proof of the same before the Family Court.

The O.P.(FC) is disposed of as above.

Sd/-
K. T. SANKARAN
JUDGE

Sd/-
BABU MATHEW P. JOSEPH
JUDGE

kns/-

//TRUE COPY//

P.A. TO JUDGE