

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

THURSDAY, THE 9TH DAY OF APRIL 2015/19TH CHAITHRA, 1937

OP (FC).No. 118 of 2015 (R)

PETITIONER/Petitioner:

SHAMNA S. AGED 29 YEARS
D/O.SALAHUDEEN, RESIDING AT R.S. VILLA, PUTHUSSERY
NILAMEL POST, KOTTARAKKARA TALUK, KOLLAM DISTRICT

BY ADV. SRI.M.DINESH

RESPONDENTS/RESPONDENTS:

1. SHAMEEM.S., AGED 33 YEARS
S/O.SHAHUL HAMEED, SAFEENA MANZIL
POREDOM POST CHADAYAMANGALAM, KOLLAM DISTRICT 691534
2. SAFEENA
D/O.SAFEYA, SAFEENA MANZIL
POREDOM POST CHADAYAMANGALAM, KOLLAM DISTRICT 691534
3. SHAHUL HAMEED
S/O.MEERA SAHIB, SAFEENA MANZIL
POREDOM POST CHADAYAMANGALAM, KOLLAM DISTRICT 691534
4. SUDHEER
H/O.SAFEENA, SAFEENA MANZIL
POREDOM POST CHADAYAMANGALAM, KOLLAM DISTRICT 691534
5. SAFIYA
W/O.SHAHUL HAMEED, SAFEENA MANZIL
POREDOM POST CHADAYAMANGALAM, KOLLAM DISTRICT 691534

THIS OP (FAMILY COURT) HAVING COME UP FOR ADMISSION ON
09-04-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

OP (FC).No. 118 of 2015 (R)

APPENDIX

PETITIONER(S)' EXHIBITS

P1:TRUE COPY OF THE PETITION IN OP.NO.775/2012 ON THE FILE OF THE
FAMILY COURT, KOTTARAKKARA DATED 22.06.2012

P2:TRUE COPY OF THE IA.NO.1084/2012 IN OP.NO.775/2012 DATED 22.06.2012

P3:TRUE COPY OF THE WRITTEN STATEMENT OF RESPONDENTS IN
OP.NO.775/2012 DATED 05.12.2015

P4:TRUE COPY OF THE REPLICATION FILED BY THE PETITIONER IN
OP.NO.775/2012 DATED 28.01.2015

RESPONDENT(S)' EXHIBITS

NIL

ks.

True copy

P.S. (Hr.Gr.)To Judge

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

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O.P. (FC) No. 118 OF 2015

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Dated this the 9th day of April, 2015

JUDGMENT

K.T. Sankaran, J.

In the manner in which we propose to dispose of the O.P.(FC), we do not think it is necessary to issue notice to the respondents.

2. O.P. No. 775 of 2012 was filed by the petitioner against the respondents for recovery of money, gold ornaments and for other reliefs. The petitioner filed I.A. No.1084 of 2012 for attachment before judgment. The

grievance of the petitioner is that I.A. No. 1084 of 2012 is not disposed of and she prays for issuing a direction to the Family Court to dispose of that application within a time frame.

3. A report was called for from the Family Court. The Judge, Family Court, Kottarakkara reported that the respondents have filed objections along with counter claim and objections to the counter claim was already filed on 9.2.2015. The O.P. was posted for settlement before the Adalat on 14.3.2015. But the case was not settled between the parties. It is also stated in the report that the case was posted to 8.4.2015 for evidence. The learned Judge says in the report that at least six months' time is required for completing the evidence and three weeks' time is required for disposing of I.A. No. 1084 of 2012.

In the facts and circumstances, there will be a direction to the Family Court, Kottarakkara to hear and dispose of I.A. No. 1084 of 2012 in O.P. No. 775 of 2012 expeditiously and,

at any rate, within a period of one month from the date of production of a copy of this judgment. The petitioner shall produce certified copy of this judgment before the Family Court and she shall serve a true copy of this judgment to the learned counsel appearing for the respondents 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

ks.

True copy

P.S. (Hr.Gr.)To Judge

