

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. 122 of 2015 (R)  
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OP 742/2014 of FAMILY COURT, ALAPPUZHA

PETITIONER/2<sup>nd</sup> petitioner:  
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SHRUTHI SURESH MENON, AGED 22 YEARS  
D/O.SURESH MENON, PLOT NO. 9/1, PATEL NAGAR  
BORGAN, NAGPUR, MAHARASHTRA STATE  
PIN - 440 013.

BY ADV. SRI.N.SUNIL JOSEPH

RESPONDENT/1ST PETITIONER:  
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JOHNY J.AGED 25 YEARS  
S/O.A.JOY, PARUTHIKKADU, PARAVOOR  
PUNNAPRA NORTH (P.O.), ALAPPUZHA, PIN - 688 001.

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. 122 of 2015 (R)

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APPENDIX

PETITIONER'S EXHIBITS

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EXT.P1: TRUE COPY OF THE OP NO. 742/2014 ON THE FILES OF THE HON'BLE  
FAMILY COURT AT ALAPPUZHA.

RESPONDENT(S)' EXHIBITS

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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. 122 of 2015**

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**Dated this the 9<sup>th</sup> day of April, 2015**

**JUDGMENT**

**K.T. Sankaran, J.**

The petitioner and the respondent filed a joint petition under Section 28 of the Special Marriage Act before the Family Court, Alappuzha on 22.11.2014, which was numbered as O.P.No.742 of 2014. Earlier the respondent had filed O.P.No.1326 of 2013 against the petitioner for divorce. It is stated that during counselling, the parties realised that there was no scope for reunion and, therefore, they filed the joint petition on 22.11.2014.

The relief prayed for in this O.P.(FC) is to issue a direction to the Family Court to dispose of O.P.No.742 of 2014 as expeditiously as possible. A report was called for from the Family Court, Alappuzha. In the report dated 7.4.2015, the Judge, Family Court has reported that the first posting of the case is on 13.7.2015 and that the minimum required period of six months provided under Section 28(2) of the Special Marriage Act would expire on 21.5.2015. In these circumstances, it is not proper to direct the Family Court to consider the application before 21.5.2015. After that date, if both parties move the Family Court as provided under law, the Family Court will consider the motion notwithstanding the fact that the first posting of the case is on 13.7.2015.

The O.P.(FC) is disposed of with the above direction.

Sd/-  
**K.T. SANKARAN**  
**JUDGE**

Sd/-  
**BABU MATHEW P. JOSEPH**  
**JUDGE**

**ks.**True copy

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



