

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. 124 of 2015 (R)

(I.A. Nos.4020/2014 & 2551/2014 in OP No.1323/2014 of FAMILY COURT,
THIRUVANANTHAPURAM)

PETITIONER/PETITIONER:

RENJITH N., S/O NADARAJAN, AGED 36 YEARS
RENJITH SADANAM, THIRUTHUMoola
VILAPIL, PEYAD.P.O, THIRUVANANTHAPURAM.

BY ADVS. SRI.AYYAPPAN SANKAR
SRI.N.ANILKUMAR (VATTIYOORKAVU)

RESPONDENT/RESPONDENT:

HYMAVATHY, AGED 60 YEARS
D/O.BHAGAVATHY, MAKAYIRAM
CHIRATHALA BHAJANAMADOM ROAD, PEYAD
THIRUVANANTHAPURAM.

R1 BY ADV. SRI.S.RAJEEV
R1 BY ADV. SRI.K.K.DHEERENDRAKRISHNAN
R1 BY ADV. SRI.V.VINAY

THIS OP (FAMILY COURT) HAVING BEEN FINALLY HEARD ON
09-04-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

OP (FC).No. 124 of 2015 (R)

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1 TRUE PHOTOCOPY OF THE EXPARTE AD-INTERIM ORDER OF INJUNCTION DATED 20.8.2014 OF FAMILY COURT, THIRUVANANTHAPURAM IN I.A.2551/14 IN OP.1323/14.

EXT.P2 TRUE PHOTOCOPY OF THE ORIGINAL PETITION IN OP.(G&W) NO.1323/2014 FILED BY RESPONDENT ON 19.8.2014 IN THE FAMILY COURT, THIRUVANANTHAPURAM

EXT.P3 TRUE PHOTOCOPY OF WRITTEN STATEMENT FILED BY PETITIONER IN O.P.1323/2014 ON 25.9.2014

EXT.P4 TRUE PHOTOCOPY OF I.A.2551/14 IN OP.1323/2014 FILED BY RESPONDENT ON 19.8.2014

EXT.P5 TRUE PHOTOCOPY OF COUNTER AFFIDAVIT FILED BY PETITIONER TO EXHIBIT-P4 INJUNCTION PETITION ON 26.9.2014

EXT.P6 TRUE PHOTOCOPY OF THE PETITION FOR INTERIM CUSTODY OF CHILD FILED BY PETITIONER AS I.A.4020/2014 IN O.P.1323/2014 ON 29.12.2014

EXT.P7 TRUE PHOTOCOPY OF THE OBJECTION FILED BY RESPONDENT TO EXHIBIT-P6 PETITION ON 5.1.2015

EXT.P8 TRUE PHOTOCOPY OF THE LAST SUCH ADVANCE PETITION FILED AS I.A.4013/2014 IN 27.12.2014

EXT.P9 TRUE PHOTOCOPY OF THE OBJECTION FILED BY RESPONDENT TO EXHIBIT-P8.

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

O. P. (FC) No.124 of 2015

Dated this the 9th day of April, 2015

JUDGMENT

K. T. Sankaran, J.

The relief prayed for in this O.P.(FC) is to issue a direction to the Family Court, Thiruvananthapuram to hear and dispose of Exts.P4 and P6 applications.

2. O.P. No.1323 of 2014 was filed by Hymavathy against Renjith for permanent custody of the child Dhruv to her. The minor child Dhruv was born to Renjith and his wife Nirosha. Nirosha committed suicide. In O.P. No.1323 of 2014, Renjith filed a counter. Renjith also filed I.A. No.4020 of 2014 (Ext.P6) for interim custody of the child. I.A. No.4020 of 2014 is pending disposal.

3. In O.P. No.1323 of 2014, Hymavathy filed I.A. No.2551 of 2014 (Ext.P4) for temporary injunction. The Family Court passed an order dated 20/08/2014 granting

interim ex parte order of injunction. Renjith filed counter to I.A. No.2551 of 2014. Final orders are not passed in that application.

4. Heard the learned counsel for the parties.

5. In the facts and circumstances, there will be a direction to the Family Court, Thiruvananthapuram to dispose of I.A. Nos.2551 of 2014 and 4020 of 2014 in O.P. No.1323 of 2014 (Exts.P4 and P6) as expeditiously as possible and at any rate before 31/05/2015 after affording an opportunity of being heard to both parties.

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

