

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE MR.JUSTICE C.K.ABDUL REHIM
&
THE HONOURABLE MR.JUSTICE K. RAMAKRISHNAN**

WEDNESDAY, THE 3RD DAY OF JUNE 2015/13TH JYASHTA, 1937

OP (FC).No. 146 of 2015 (R)

**AGAINST THE ORDER/JUDGMENT IN OP 24/2014 of FAMILY COURT,
ERNAKULAM.**

PETITIONER(S):

**ANJU ANTONY, AGED 25 YEARS,
D/O.ANTONY LOUIS, MATTUMMEL HOUSE, SRM ROAD,
KANAYANNOOR VILLAGE, KANAYANNOOR TALUK,
ERNAKULAM DISTRICT, COCHIN, PIN 682 018.**

**BY ADVS.SMT.JEENA JOSEPH
SRI.G.D.PANICKER**

RESPONDENT(S):

**ROBIN ROY,
AGED 31 YEARS, S/O.FELIX ROY, AYYKARAPARAMBIL HOUSE,
MARKET ROAD, NORTH END, OLD RAILWAY STATION ROAD,
KANAYANNOOR TALUK, COCHIN, PIN 682 014.**

**THIS OP (FAMILY COURT) HAVING COME UP FOR ADMISSION ON 03-06-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

:2:

OP (FC).No. 146 of 2015 (R)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1 : COPY OF THE OP NO.24/2014 OF THE FAMILY COURT, ERNAKULAM

**EXHIBIT P2 : COPY OF THE OP NO.911/2014 OF THE FAMILY COURT,
ERNAKULAM**

RESPONDENT(S)' EXHIBITS

: NIL

//True Copy//

P.A. to Judge

SS

**C.K. ABDUL REHIM &
K. RAMAKRISHNAN, JJ.**

O.P.(F.C.). No. 146 of 2015

Dated this the 3rd day of June, 2015

JUDGMENT

C.K. Abdul Rehim, J

This is a writ petition filed under Article 227 of the Constitution of India, seeking direction to the Family Court, Ernakulam to have an early disposal of O.P.No.24/2014 filed by the petitioner and O.P.No.911/2014 filed by the respondent herein, which are pending before the said court. O.P.No.24/2014 is filed by the petitioner seeking nullity of the marriage registered on 27.09.2013. The respondent had filed O.P.No.911/2014 seeking restitution of conjugal rights.

2. When the case came up for consideration we have called for a report from the Family Court, Ernakulam. It is reported that in O.P.No.24/2014 the parties have entered appearance before the Family Court and the counselling is over. The attempts for mediation

had failed and the respondent had not so far filed any counter. With respect to O.P.No.911/2014 no counter affidavit is filed by the petitioner herein. It is reported that both the cases are posted to 29.06.2015 for filing counter affidavits.

3. It is evident that both the cases are not ripe for trial. The presiding officer of the Family Court had informed that a large number of old cases are pending disposal before the said court, which are included in the target list for disposal, as per the directions issued by this court on the administrative side for giving preference to disposal of old cases. It is specifically mentioned that there are more than 1,500/- cases pending, which are old cases filed up to the year 2012. Whereas the cases at hand are only of the year 2014. However, learned presiding officer had expressed hope that the cases in question can be disposed of before the end of this year (2015) if both sides co-operate for the same.

4. We record the report of the Family Court as mentioned above. Considering the aspects reported, we are not inclined to direct any time bound disposal of the cases. However the Family Court will take all earnest efforts to dispose of the cases in question at the earliest, as mentioned in the report.

Sd/-

C.K. Abdul Rehman, Judge

Sd/-

K. Ramakrishnan, Judge

// True Copy//

P.A. to Judge