

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

THURSDAY, THE 21ST DAY OF MAY 2015/31ST VAISAKHA, 1937

OP (FC).No. 151 of 2015 (R)

PETITIONER:

**SARITHA,
AGED 26 YEARS, D/O.LALITHAMA,
MANGALASSERIYIL, NJARAKKAL CHERI
THRIKKADAVOOR VILLAGE, KOLLAM**

**BY ADVS.SRI.MANOJ RAMASWAMY
SMT.V.SREEJA**

RESPONDENTS:

- 1. PRAMOD,
AGED 34 YEARS, S/O. SASIDHARAN,
RANGALATH VADAKKETHIL, NJARAKKAL CHERI,
THRIKKADAVOOR VILLAGE, KOLLAM 691 531**
- 2. SREELATHA,
AGED 30 YEARS,
W/O. PRAJEESH, LATHA BHAVAN, VETTUVILA
NJARAKKAL, THRIKKADAVOOR, KOLLAM DISRICT 691 531**

THIS OP (FAMILY COURT) HAVING COME UP FOR ADMISSION ON 21-05-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

AMG

OP (FC).No. 151 of 2015 (R)

APPENDIX

PETITIONER'S EXHIBITS

**EXHIBIT P1: TRUE COPY PETITION IN O.P.(HMA) NO.817 OF 2013 OF THE
FAMILY COURT, KOLLAM**

RESPONDENT(S)' EXHIBITS

NIL

True copy

P.A. To Judge

AMG

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

O.P (FC) No. 151 OF 2015

DATED THIS THE 21st DAY OF MAY, 2015

J U D G M E N T

Abdul Rehim, J:

The petitioner herein is the petitioner before the Family Court, Kollam in OP (HMA) No.817/2013, M.C. No.120/2014 and OP No.481/2013. In this petition the petitioner is seeking direction to the Family Court, Kollam to have an expeditious disposal of OP (HMA) No.817/2013 and connected cases.

2. While considering the matter we called for a report from the Family Court concerned. The report submitted by the Presiding Officer, dated 27-04-2015 would indicate that the total pendency in that court as on 31-03-2015 is 3,448 cases. It is stated that time limit for disposal of more than 30 cases have already been fixed by this court through various orders issued. Further the hon'ble Supreme Court had given direction for disposal of 3 cases within 6 months. The Presiding Officer had expressed his inability to concentrate on old cases and to achieve required target, because of various directions issued for speedy disposal of particular cases, which are comparatively new.

3. We notice that the cases instituted by the petitioner herein before the Family Court are of the year 2013. When old cases of similar nature are pending disposal before that court, it is not proper for this court to issue any time bound direction by overlooking the priority. If such a direction is issued, we afraid that, we will be doing injustice to those who are parties in the older cases pending before that court. We should not show any discrimination in the matter of priority between any litigant, merely because he could afford to approach this court.

4. Under the above mentioned circumstances we are of the considered opinion that any specific time bound direction for speedy disposal of the cases cannot be issued. However, we observe that the Presiding Officer will take all earnest efforts to dispose the matters as expeditiously as possible.

Sd/-

C.K. ABDUL REHIM, JUDGE.

Sd/-

K. RAMAKRISHNAN, JUDGE.

AMG

True copy

P.A. to Judge