

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. 152 of 2015 (R)

O.P.NO.692/2011 OF FAMILY COURT, THIRUVANANTHAPURAM

PETITIONER(S) :

**K.CHELLAN, AGED 79 YEARS,
S/O.KOCHAN NADAR, KALAVANIYANVILA VEEDU,
MARIYAPURAM P.O., NEYYATINKARA.**

BY ADV. SRI.R.GOPAN

RESPONDENT(S) :

**T.VIMALA, W/O CHELLAN,
SYAMALA BHAVAN, KODANKARA
CHENKAL P.O., THIRUVANANTHAPURAM DISTRICT- 695 001**

**THIS OP (FAMILY COURT) HAVING COME UP FOR ADMISSION
ON 21-05-2015, ALONG WITH OP (FC).No153 OF 2015 AND
OP (FC).No.155 OF 2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

Msd.

OP (FC).No. 152 of 2015 (R)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXT.P1: PHOTOCOPY OF THE O.P.NO.692/2011 FILED BY
 THE RESPONDENT BEFORE THE FAMILY COURT,
 THIRUVANANTHAPURAM DATED 23.04.2011.**

**EXT.P2: PHOTOCOPY OF THE WRITTEN STATEMENT FILED BY
 THE PETITIONER IN O.P.NO.692/2011 BEFORE THE FAMILY
 COURT, THIRUVANANTHAPURAM DATED 29.06.2012.**

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

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

O.P (FC) Nos. 152, 153 & 155 OF 2015

DATED THIS THE 21st DAY OF MAY, 2015

J U D G M E N T

K. Ramakrishnan, J:

All these petitions were filed by the petitioner in the lower court for speedy disposal of the cases, EP 65/2012 in OS 85/2000 and OP Nos.674/2011 & 692/2011 pending before the Family Court, Thiruvananthapuram under Article 227 of the Constitution of India. On the basis of the allegations of the petitioner a report has been called for and Family Court sent a report which reads as follows.

“Two Ops 674/2011 and 692/2011 are filed respectively by the husband and wife before this court for cancellation of the decree granting maintenance in OS 85/2000 on the file of this court which is now under execution in EP 65/2012. O.P. 692/11 is a petition for enhancing maintenance as per the decree dated 30-06-2003 in OS 85/2000. Both the cases were jointly tried and commissioner filed report and the case is awaiting for final hearing. EP 65/2012 was filed for realising the arrears of maintenance for the period for 06-04-2010 to 06-09-2012 @ Rs.600/- for 29 months amounting

to Rs.17,400/-. The said EP was dismissed on 23rd December 2013 finding that Rs.7,800/- is in excess even after adjusting the EP amount. Thereafter EA 109/2014 was filed for reviewing the said order and the same is pending and posted to 07-05-2015 for hearing. All the matters are ripen for hearing. Hence if both the counsels agree and ready for argument the same can be disposed off by the end of June 2015. The matter is accordingly reported.”

2. When the applications came for consideration today, when this was pointed out to the counsel for the petitioner, counsel for the petitioner submitted that the report can be accepted and the petitions can be disposed of. The report of the Family Court that all the matters will be disposed of by the end of June, 2015 if both the counsels agree and ready for argument is recorded and the petitions are disposed of accordingly.

3. Communicate this judgment to the concerned court immediately.

Sd/-

C.K. ABDUL REHIM, JUDGE.

Sd/-

K. RAMAKRISHNAN, JUDGE.

AMG

True copy

P.A. to Judge