

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE C.K.ABDUL REHIM
&
THE HONOURABLE MR. JUSTICE P.B.SURESH KUMAR

TUESDAY, THE 12TH DAY OF MAY 2015/22ND VAISAKHA, 1937

OP (FC).No. 193 of 2015 (R)

(IA.NO.549/2015 IN OP.NO. 1022/2011 OF FAMILY COURT, MALAPPURAM)

PETITIONER :

SHAMEER KANNAMTHODI, AGED 37 YEARS,
S/O.KADER HAJI, KANNAMTHODI HOUSE, PATHIAKKARA,
PERINTHELMANNA, MALAPPURAM DISTRICT.

BY ADVS.SRI.P.M.HABEEB
SRI.T.M.BINOY

RESPONDENT(S):

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1. E.SHABANA THASNI, AGED 32 YEARS,
D/O. EDAPATTA ABDULSALAM, EDAPATTA VEEDU,
VANIYAMBALA P.O, NILAMBUR TALUK,
MALAPPURAM DISTRICT,PIN- 679 339.
 2. K. JASMINE,AGED 51 YEARS,W/O.ABDUL SALAM,
EDAPATTA ABDULSALAM, EDAPATTA VEEDU,
VANIYAMBALA P.O, NILAMBUR TALUK,
MALAPPURAM DISTRICT, PIN- 679 339.

R1 & R2 BY ADVS. SRI.HUSSAIN KOYA VALIYAVEEDAKATH
SRI.K.ANAND
SRI.M.R.NANDAKUMAR
SRI.K.V.RAJENDRAN (WANDOOOR)

THIS OP (FAMILY COURT) HAVING BEEN FINALLY HEARD
ON 12-05-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:

sts

OP (FC).No. 193 of 2015 (R)

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1 - THE CERTIFIED COPY OF THE ORDER PASSED BY THE FAMILY COURT
IN IA NO.549/2015 IN OP NO.1022/2011.
- EXT.P2 - THE CERTIFIED COPY OF THE ORDER DATED 04.05.2015 IN IA NO.497
OF 2015 IN OP NO.1022/2011
- EXT.P3 - THE PHOTOCOPY OF THE PETITION IN IA NO.549/2015 IN OP
NO.1022/2011.

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

P.A.TO JUDGE

sts

C.K. ABDUL REHIM, J.
&
P.B. SURESH KUMAR, J.

OP (FC) No. 193 OF 2015

DATED THIS THE 12th DAY OF MAY, 2015

J U D G M E N T

P.B. Suresh Kumar, J:

The petitioner instituted OP No.1022/2011 before the Family Court, Malappuram, for the custody of his minor daughter Henna. Along with the said original petition, the petitioner filed an interlocutory application for temporary custody of the ward and the Family Court permitted the petitioner to have the temporary custody of the ward on condition that he shall return the ward on 23-04-2015. It is not disputed that the period of temporary custody was later extended till 04-05-2015. The petitioner has not returned the ward on the expiry of the period. Consequently, as per Ext.P2 order, the Family Court deputed one lady Amin of the court for securing custody of the ward with the aid of a woman police constable. The petitioner challenges Ext.P2 order in this Original Petition.

2. Today, when this matter was taken up for hearing, the learned counsel for the petitioner submitted that the

custody of the ward has already been handed over to the first respondent. The learned counsel for the first respondent confirmed that the custody of the ward is obtained by the the first respondent.

3. In the light of the submissions made by the learned counsel on either side, there is no reason to continue Ext.P2 order. Accordingly, Ext.P2 order is set aside.

The original petition is disposed of as above.

Sd/-

C.K. ABDUL REHIM, JUDGE.

Sd/-

P.B. SURESH KUMAR, JUDGE.

AMG

True copy

P.A. to Judge