

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

FRIDAY, THE 24TH DAY OF JULY 2015/2ND SRAVANA, 1937

OP (FC).No. 308 of 2015 (R)

AGAINST THE ORDER/JUDGMENT IN OPDIV 25/2013 of FAMILY COURT,
THIRUVALLA

PETITIONER(S) :

SONY JOHN, AGED 35 YEARS,
S/O.JOHN ABRAHAM, SOFTWARE ENGINEER, THUNIDYIL HOUSE,
PULLAD P.O., PULLAD MURI, KOIPURAM VILLAGE,
THIRUVALLA TALUK, PATHANAMTHITTA DISTRICT.

BY ADVS.SRI.P.HARIDAS
SRI.P.C.SHIJIN

RESPONDENT(S) :

ASHA P.K, AGED 34 YEARS,
TRAINER, W/O.SONY JOHN, (D/O. P.O. KOCHUVAREEDU)
POTTAKKARAN HOUSE, PARIYARAM P.O., THRISSUR,
PIN-680 721,
THRISSUR DISTRICT, NOW RESIDING AT APARTMENT BLOCK 405,
CHOA CHU KANG AVENUE 3#02-259, SINGAPORE-680 405.

THIS OP (FAMILY COURT) HAVING COME UP FOR ADMISSION ON
24-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

:2:

OP (FC) .No. 308 of 2015 (R)

APPENDIX

PETITIONER(S) ' EXHIBITS

:

EXT.P1. TRUE COPY OF THE PETITION IN OP(DIV) NO.25/2013 BEFORE THE
FAMILY COURT, THIRUVALLA DATED 8/1/2012.

EXT.P2. TRUE COPY OF THE PETITION TO SET ASIDE EX PARTE DATED
24/12/2013.

EXT.P3. TRUE COPY OF THE RESTORATION PETITION.

EXT.P4. TRUE COPY OF THE PETITION TO SET ASIDE EX PARTE FILED BY
THE RESPONDENT ON 17/10/2014.

EXT.P5. TRUE COPY OF THE AFFIDAVIT DATED 27/5/2015.

RESPONDENT(S) ' EXHIBITS

NIL

//True Copy//

P.A. to Judge

SS

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

O.P.(F.C.) No.308 of 2015

Dated this the 24th day of July, 2015

JUDGMENT

K. Ramakrishnan, J

This is an application filed by the petitioner in O.P. (Div.) No.25/2013 on the file of the Family Court, Thiruvalla, for speedy disposal of the case under Article 227 of the Constitution of India.

2. It is alleged in the petition that the petitioner and respondent are husband and wife, both are working abroad. The relationship between them was strained, he filed O.P.(Div.) No.25/2013 against the respondent. In spite of paper publications, respondent did not appear and she was set exparte, she filed application for setting aside the exparte order, in order to prolong the matter. He has to come from abroad for several times to prosecute the case. He has no other options, except to approach this court, seeking the relief of early disposal of the case.

3. Since the respondent is working abroad, we

ordered notice to counsel appearing for the respondent in the lower court and the counsel for the petitioner produced acknowledgment showing that notice has been serviced on him and in spite of that, none appeared on behalf of the respondent on today before this court.

4. On the basis of the allegations, we called for a report from the Family Court, Thiruvalla, and the Family Court Judge has sent a report dated 21.07.2015, in which the learned Judge had detailed the things transpired in the case and also expressed desire to dispose of the case within three months. So under the circumstances, we do not feel that, any further direction need be given in this regard.

The report of the Family Court Judge is recorded and the petition is disposed of accordingly, directing the Family Court Judge to abide the report submitted by him before this court.

Sd/-

C.K. Abdul Rehim, Judge

Sd/-

K. Ramakrishnan, Judge

//True Copy//

P.A. to Judge