

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

MONDAY, THE 3RD DAY OF AUGUST 2015/12TH SRAVANA, 1937

OP (FC).No. 327 of 2015 (R)

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(EARLY DISPOSAL OF IA No.818/2015 in OP 307/2015 OF
FAMILY COURT, CHAVARA)**

PETITIONER:

**SANTHOSH SEBASTIAN,
AGED 32 YEARS, S/O.SEBASTIAN RAJ,
ROSE HOUSE, M.G.R.A 3, MELARANNOOR,
KARAMANA P.O, THIRUVANANTHAPURAM.**

BY ADV. KUM.D.MINI RAJAN

RESPONDENTS:

- 1. NITA RAJU ISAAC
AGED 31 YEARS, D/O. ISSAC P. RAJU,
PALAKKASSERIL, 28/50, NANMA NAGAR,
THARAYILMUKKU, PADA SOUTH, KARUNAGAPPALLY P.O
KOLLAM 690 518.
PRESENT ADDRESS. NITA RAJU ISSAC
JUNIOR CLIENT EXECUTIVE
(INDIAN PASSPORT HOLDER 3638997) STATE STREET
BANK AND TRUST CO.
EMMAR SQUARE BUILDING, 4TH FLOOR,
P.O BOX NO.26838, DUBAI, UAE.**
- 2. ISAAC P RAJU
PALAKKASSERIL, 28/50, NANMA NAGAR
THARAYILMUKKU, PADA SOUTH,
KARUNAGAPPALLY P.O, KOLLAM 690 518.**

THIS OP (FAMILY COURT) HAVING COME UP FOR ADMISSION ON 03-08-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

AMG

OP (FC).No. 327 of 2015 (R)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1. COPY OF THE OP (G&W) NO.307/2015 BEFORE THE HON'BLE
FAMILY COURT, CHAVARA DATED 6.1.15.**

**EXHIBIT P2. COPY OF THE IA 818/15 BEFORE THE HON'BLE FAMILY COURT,
CHAVARA DATED 1.6.15.**

RESPONDENTS' EXHIBITS

NIL

True copy

P.A. To Judge

AMG

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

O.P (FC) No. 327 OF 2015

DATED THIS THE 3rd DAY OF AUGUST, 2015

J U D G M E N T

K. Ramakrishnan, J:

This is an application filed by the petitioner in IA 818/2015 on in OP (G&W) 307/2015 on the file of Family Court, Chavara seeking direction to the court below to expedite disposal under Article 227 of the Constitution of India.

2. It is alleged in the petition that petitioner is the father of minor children namely, Steve Sebastian and Sam Sebastian who were born to them in the wedlock between himself and the 1st respondent. Their relationship strained. So he filed Ext.P1, OP (G&W) 307/2015 for getting permanent custody of the children as he being the natural guardian. The 1st respondent is in abroad leaving the children under the custody of the 2nd respondent and his wife who are aged persons. Along with the petition he filed IA 818/2015 for interim custody of the children. But no orders have been passed in Ext.P2 application. So he has no

other remedy except to approach this court seeking speedy disposal of IA.

3. On the basis of allegation we have called for a report from the Family Court, Chavara and the Family Court, Chavara has sent report dated 27-07-2015, in which it was mentioned that the application was posted for hearing to 25-07-2015 and at the request of the petitioner, it was adjourned to 29-07-2015 and it can be disposed of within 15 days. So in view of the report submitted by the family court this court feels that there is no necessity to issue any direction and the report can be accepted and the petition can be disposed accordingly directing the family court to dispose of I.A. as mentioned in the report. So the report of the family court is accepted and the petition is disposed of accordingly.

Communicate this judgment to the court below immediately.

Sd/-

C.K. ABDUL REHIM, JUDGE.

Sd/-

K. RAMAKRISHNAN, JUDGE.

AMG

True copy

P.A. to Judge