

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 21ST DAY OF AUGUST 2015/30TH SRAVANA, 1937

OP (FC).No. 360 of 2015 (R)

AGAINST THE ORDER/JUDGMENT IN OP 1468/2013 of FAMILY COURT,ERNAKULAM

PETITIONER:

SUJA RAJEEVAN, AGED 29 YEARS,
D/O.RAJEEVAN, 3RD FLOOR, VYSAKH APARTMENT,
AYYAPPANKAVU, OPP. CANARA BANK, KOCHI 682 018.

BY ADVS.SRI.T.M.RAMAN KARTHA
SMT.SYAMA MOHAN

RESPONDENT:

NIDHIN D.C, AGED 31 YEARS,
S/O.LATE DIVAKARAN PILLAI, SIUMANAS, SGRA 204,
SHARON GARDENS, OPP. POPULAR BAJAJ SHOW ROOM,
NALANCHIRA P.O, ULLOOR VILLAGE,
THIRUVANANTHAPURAM 695 015.

THIS OP (FAMILY COURT) HAVING COME UP FOR ADMISSION ON 21-08-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

OP (FC).No. 360 of 2015 (R)

APPENDIX

PETITIONER'S EXHIBITS:

EXHIBIT P1. COPY OF THE OP NO.2226/2013 DATED 20.11.13.

EXHIBIT P2. COPY OF THE OP 1468/13 DATED 8.1.13.

EXHIBIT P3. COPY OF THE OBJECTION FILED BY THE RESPONDENT IN OP 2226/2013 DATED 3.7.14.

EXHIBIT P4. COPY OF THE OBJECTION IN OP 1468/13 DATED 11.3.14.

RESPONDENT'S EXHIBITS:NIL

/TRUE COPY/

P.S TO JUDGE

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

.....
O.P.(FC)No.360 of 2015
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Dated this the 21st day of August, 2015.

JUDGMENT

Ramakrishnan,J:

This original petition is filed by the petitioner seeking intervention of this Court for speedy disposal of O.P.No.No.2226/2013 and OP.No.1468/2013 pending before the Family Court, Ernakulam invoking supervisory jurisdiction under Article 227 of the Constitution of India.

2. It is alleged in the petition that the petitioner and the respondent are husband and wife and their marriage was solemnized on 9.9.2010 and due to difference of opinion between them, they started residing separately. The petitioner herein filed OP.No.2226/2013 before the Family Court, Ernakulam for recovery of gold ornaments, money and other articles alleged to be given at the time of marriage and said to have been misappropriated by the respondent. The respondent herein earlier filed O.P.No.37/2013 before the Family Court, Thiruvananthapuram which was transferred to Family Court, Ernakulam as per the orders of this Court in transfer petition

(civil) No.50/2013 and now pending before the Family Court, Ernakulam as O.P.No.1468/2013. Since these cases are of the year 2013, no steps are being taken by the court below to dispose of the cases at the earliest. So the petitioner has no other remedy except to approach this Court seeking intervention of this Court for issuing a direction to the family court for speedy disposal of the case.

3. Considering the nature of relief claimed, we felt that this petition can be disposed of without sending notice to the respondent but getting a report from the Family Court. Accordingly, we called for a report from the Family Court, Ernakulam regarding present stage of the case and her request for disposal of the case and the Family Court, Ernakulam sent a report stating that nearly 1000 cases are earmarked for disposal during this year as per the direction of this Court. About 900 and odd cases are upto the year 2012 are pending for disposal. Priority has to be given to the disposal of old cases in view of the target fixed by this Court for the period from 1.6.2015 til 31.5.2016. However, the Presiding Officer of the Family Court expressed that he will be trying

to dispose of these cases also before the target period namely before 31.5.2016. We take note of the opinion of the family court regarding the fact that priory will have to be given to old cases and targeted cases and also we feel that this petition can be disposed of accepting the report of the Family Court without giving any further action. So the report of the Family Court is accepted and the family court is directed to dispose of the cases as undertaken in the report. The writ petition is disposed of accordingly.

Communicate this order to the concerned court immediately.

Sd/-

C.K. ABDUL REHIM, JUDGE.

Sd/-

K. RAMAKRISHNAN, JUDGE.

/true copy/

P.S to Judge

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