

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. 381 of 2015 (R)

AGAINST THE ORDER IN OP 25/2015 of FAMILY COURT, OTTAPPALAM

PETITIONER:

P.K.V.JAYAKRISHNAN, AGED 49 YEARS,
S/O. PANKAJAKSHA KURUP, "NEELAMBARI",
CHERANALLUR P.O.
ERNAKULAM - 682 034.

BY ADV. SRI.P.A.ISMAIL

RESPONDENT:

PRAVEENA, AGED 42 YEARS,
D/. V.P.NAIR, PRATHEEKSHA,
PAZHAYA KODENGIL HOUSE
THRITHALA KOPPAM, PULLASSERY P.O.,
PATTAMBI
PALAKKAD DISTRICT.

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. 381 of 2015 (R)

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 - THE PHOTOCOPY OF THE PASSPORT OF THE PETITIONER ISSUED AT DUBAI ON 13.2.1999.

EXT.P2 - THE PHOTOCOPY OF THE MARRIAGE CERTIFICATE OF THE PETITIONER AND RESPONDENT 24.01.1994.

EXT.P3 - THE PHOTOCOPY OF THE PETITION NO. 25/2015 FILED BEFORE THE FAMILY COURT AT OTTAPPALAM.

EXT.P4 - THE PHOTOCOPY OF THE PETITION NO. 26/2015 FILED BEFORE THE FAMILY COURT AT OTTAPPALAM.

EXT.P5 - THE PHOTOCOPY OF THE PETITION NO. 91/2015 FILED BEFORE THE FAMILY COURT AT OTTAPPALAM.

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.381 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 for issuing a direction to the Family Court, Ottapalam to dispose of the cases mentioned in the petition expeditiously invoking supervisory jurisdiction under Article 227 of the Constitution of India.

2. It is alleged in the petition that the petitioner married the respondent on 24.1.1994 and he was employed in Gulf for around 20 years. There arose dispute between them, which resulted in filing of OP.No.25/2015, OP.No.26/2015 and GOP.No.91/2015 before the Family Court. These cases are not being taken up by the Family Court. So the petitioner wants interference of this Court for speedy disposal of these cases. Hence the petition.

3. On going through the allegations in the petition, we find that all the three cases are of the year 2015. This Court cannot shut its eyes regarding pendency of cases before the

Family Courts much older in age and if this Court exercises power under section 227 to issue direction to dispose of comparatively new cases in preference to the old cases pending before that court, that will amount to doing injustice to the persons who are waiting in queue to get justice in respect of their cases pending before that court. So under the circumstances, we feel that it is not a fit case to invoke supervisory jurisdiction at this stage to issue any direction as claimed in the petition. However, the petitioner is at liberty to move the Family Court and appraise the urgency in disposal of the case and if any step is taken by the petitioner by filing an application in this regard, then the Family Court is at liberty to consider whether there exists any urgency for disposal of the case giving priority to the older cases and take necessary steps in accordance with law.

With the above observations, this writ petition is disposed of.

Sd/-

C.K. ABDUL REHIM, JUDGE.

K. RAMAKRISHNAN, JUDGE.

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/true copy/

P.S to Judge

