

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 17TH DAY OF AUGUST 2015/26TH SRAVANA, 1937

OP (FC).No. 382 of 2015 (R)

OP 1075/2013 of FAMILY COURT, ERNAKULAM

PETITIONER:

**MINU ANTONY,
S/O.ANTONY, KALATHIL HOUSE, SOUTH CHITTOOR
CHERANELLOOR VILLAGE, KANAYANNUR TALUK.**

BY ADV. SRI.BABU CHERUKARA

RESPONDENT:

**SHINTA K.A.
D/O.ANTONY, KALARICKAL HOUSE, VARAPUZHA P.O
MUTTINAKAM, PARUR TALUK, PIN-683 517.**

THIS OP (FAMILY COURT) HAVING COME UP FOR ADMISSION ON 17-08-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

AMG

OP (FC).No. 382 of 2015 (R)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1. COPY OF THE OP NO.1075/2013 OF THE FAMILY COURT ERNAKULAM
DATED 11.6.2013.**

RESPONDENTS' EXHIBITS

NIL

True copy

P.A. To Judge

AMG

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

O.P (FC) No. 382 OF 2015

DATED THIS THE 17th DAY OF AUGUST, 2015

J U D G M E N T

K. Ramakrishnan, J:

This is Original Petition is filed by the petitioner seeking intervention of this court for an early disposal of OP 1075/2013, pending before the Family Court, Ernakulam under Article 227 of the Constitution of India.

2. It is alleged in the petition that the petitioner herein filed Ext.P1 petition for divorce as OP 1075/2013 before the Family Court, Ernakulam on 11-06-2013. Though respondent appeared and counselling was over, no written statement has been filed in the case so far. It is being adjourned from time to time without any reason. The mediation process is also completed. The case could not be disposed for want of completion of pleading in the case. Unless this court intervenes, early disposal of the case is not possible. So the petitioner has no other remedy except to approach this court seeking a direction to the family court to dispose of the case at the earliest.

3. Heard the counsel for the petitioner. The case is of the year 2013. More old cases than this case are pending before the

family court. Further the family courts are burdened with disposing of old targeted matters as well. So under the circumstances we feel that it is not proper for us to issue direction to the family court to dispose of the case which is comparatively new case considering the number of old cases pending before that court. However if the petitioner wants an early disposal of the case, the petitioner is at liberty to move before the family court stating the reason for the same and if such an application is filed, the family court is at liberty to consider and pass appropriate orders in that application in accordance with law.

So with the above directions and observations this original petition is disposed of.

Office is directed to communicate this judgment to the concerned court immediately.

Sd/-

C.K. ABDUL REHIM, JUDGE.

Sd/-

K. RAMAKRISHNAN, JUDGE.

AMG

True copy

P.A. to Judge