

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

WEDNESDAY, THE 19TH DAY OF AUGUST 2015/28TH SRAVANA, 1937

OP (FC).No. 389 of 2015 (R)

**AGAINST THE ORDER IN I.A. No.1513/2015 IN OP 755/2014 of
FAMILY COURT, IRINJALAKUDA**

PETITIONER:

**HARI, AGED 45 YEARS,
S/O.CHANDRASEKHARAN,
MANJAPPILLY AMBAT HOUSE
KUZHOOR KAKULISSERY VILLAGE,
MUKUNDAPURAM TALUK, THRISSUR DISTRICT.**

BY ADV. SRI.K.S.RAJEEV (ALUVA)

RESPONDENT:

**INDIRA, W/O. MURALEEDHARAN
AGED 64, VATTAVATH HOUSE, PARIYARAM DESOM
PARIYARAM VILLAGE, MUKUNDAPURAM TALUK
THRISSUR DISTRICT 680038.**

**THIS OP (FAMILY COURT) HAVING COME UP FOR ADMISSION ON 19-08-
2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

AMG

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

O.P (FC) No. 389 OF 2015

DATED THIS THE 19th DAY OF AUGUST, 2015

J U D G M E N T

C.K. Abdul Rehim, J:

Relief sought for in this original petition filed under Article 227 of the Constitution of India is for a declaration that Ext.P1 interim application submitted by the respondent herein before the family court is barred by principles of res judicata and that the said application need not be considered by the family court. When we expressed the view that the original petition is totally misconceived and that such a relief cannot be granted under Article 227 of the Constitution of India, learned counsel for the petitioner sought permission of this court to withdraw this original petition, with liberty reserved in favour of the petitioner to take all available contentions under law before the family court against Ext.P1 application.

Permission is granted. The original petition is dismissed as withdrawn, subject to liberty reserved as mentioned above.

Sd/-
C.K. ABDUL REHIM, JUDGE.

Sd/-
K. RAMAKRISHNAN, JUDGE.

AMG

True copy

P.A. to Judge