

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE C.K.ABDUL REHIM
&
THE HONOURABLE MRS. JUSTICE MARY JOSEPH

TUESDAY, THE 15TH DAY OF DECEMBER 2015/24TH AGRAHAYANA, 1937

OP (FC).No. 498 of 2015 (R)

AGAINST THE ORDER/JUDGMENT IN OPGW 877/2015 of FAMILY COURT,
PATHANAMTHITTA

PETITIONER(S):PETITIONER

1. RINI JAIMON AGED 30 YEARS
W/O. JAIMON, CHERUTHURAYIL HOUSE, KAVIYOOR VILLAGE
KAVIYOOR P.O, THIRUVALLA TALUK, PATHANAMTHITTA
2. C.P KURIEN AGED 65 YEARS
S/O. KURIEN, CHERUTHURAYIL HOUSE, KAVIYOOR VILLAGE
KAVIYOOR P.O, THIRUVALLA TALUK, PATHANATHITTA

BY ADVS.SRI.P.HARIDAS
SRI.P.C.SHIJIN

RESPONDENT(S): DEFENDANTS

1. JAIMON JACOB, AGED 34 YEARS
S/O. JACOB, EDAYADI MEPRATH HOUSE, IYTHALA MURI
RANNI VILLAGE, PATHANAMTHITTA 689 645
2. AMMAL JACOB, AGED 58 YEARS
W/O. JACOB , EDAYADI MEPRATH HOUSE, IYTHALA MURI
RANNI VILLAGE, PATHANAMTHITA 689 645
3. JACOB @ MATHUKUTTY, AGED 60 YEARS
EDAYADI MEPRATH HOUSE, IYTHALA MURI, RANNI VILLAGE
PATHANAMTHITTA 689 645

R1-R3 BY ADV. SRI.MANU RAMACHANDRAN

THIS OP (FAMILY COURT) HAVING COME UP FOR ADMISSION ON 15-
12-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

OP (FC).No. 498 of 2015 (R)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1 TRUE COPY OF THE OP(G & W) NO 877/2015 PENDING ON THE FILE
OF THE HON'BLE FAMILY COURT, PATHANAMTHITTA

EXHIBIT P2 TRUE COPY OF THE O.P NO 2015 PENDING ON THE FILE OF THE
HON'BLE FAMILY COURT, PATHANAMTHITTA

EXHIBIT P3 TRUE COPY OF THE IA NO 1207/2015 DATED 13-09-2015 IN OP (G
& W) NO 877/2015 PENDING ON THE FILE OF THE HON'BLE FAMILY
COURT,PATHANAMTHITTA

RESPONDENT(S)' EXHIBITS

NIL

TRUE COPY

PS TO JUDGE

C.K.ABDUL REHIM & MARY JOSEPH, JJ.

OP(FC) No. 498 of 2015

Dated this the 15th day of December, 2015

JUDGMENT

Abdul Rehim,J.

In the above original petition filed under Article 227 of the Constitution of India, the petitioners are seeking relief to the extent of directing the Family Court, Pathanamthitta to expedite disposal of OP(G&W)877/2015 along with another connected case filed by the petitioners touching issues arising out of the matrimonial relationship, and also for an early disposal of IA.No.1207/15 in OP(G&W)877/2015.

2. OP(G&W)877/2015 is filed seeking custody of a minor child born out of the wedlock between the 1st petitioner and the 1st respondent. IA.No.1207/2015 is filed seeking interim custody of the minor child, pending disposal of the case. Allegation is that the court below is not taking any expedient steps for the disposal of the original petition or the interim application.

3. During pendency of the above original petition the

parties were referred for mediation to the Ernakulam Mediation Centre. Report of the Mediator dt. 9.12.2015 would indicate that the parties have arrived at a compromise, the terms of which are reduced into a 'Memorandum of Agreement' executed under Section 89 of the Code of Civil Procedure. From the said Memorandum of Agreement it is evident that the parties have decided to have a reconciliation and to resume co-habitation, along with the child. In view of the compromise arrived it is agreed upon that all the cases pending before the Family Court touching the matrimonial dispute will be withdrawn.

4. Under the above mentioned circumstances this original petition is disposed of by recording compromise. The Memorandum of Agreement, which is produced along with the report of the Mediator, will form part of this judgment. The parties will be at liberty to produce this judgment before the Family Court and to withdraw the cases before that court.

C.K.ABDUL REHIM, JUDGE

MARY JOSEPH, JUDGE

Pmn/

