

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE C.K.ABDUL REHIM
&
THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

TUESDAY, THE 22ND DAY OF DECEMBER 2015/1ST POUSHA, 1937

OP (FC).No. 540 of 2015 (R)

OP 43/2014 of FAMILY COURT,ERNAKULAM

PETITIONER:

DEEPA AGED 34 YEARS
D/O.LATE P.K.SURENDRAN, PARUTHIKKATTUVELI
PATTANAKKAD PO CHERTHALA.

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

RESPONDENT:

MAHESH BABU K.V.
AGED 41 YEARS, S/O.K.A.VISWAMBHARAN
KOCHANCHERIL HOUSE, PALLURUTHY, KOCHI - 682 006.

THIS OP (FAMILY COURT) HAVING COME UP FOR ADMISSION ON 22-12-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

OP (FC).No. 540 of 2015 (R)

APPENDIX

PETITIONER(S) ' EXHIBITS:

P1: COPY OF THE OP NO.43/2014 FILED BY THE RESPONDENT DT. 8.1.2014

P2: COPY OF THE MEDIATION AGREEMENT ENTERED INTO BETWEEN THE
PARTIES ON 10.4.2015

P3: COPY OF THE OBJECTION AND COUNTER CLAIM FILED BY THE PETITIONER
HEREIN DT. 1.6.2015

RESPONDENT(S) ' EXHIBITS: N I L

//TRUE COPY//

P.A. TO JUDGE

JV

C.K. ABDUL REHIM & ALEXANDER THOMAS, JJ.

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O.P.(F.C.) No.540 of 2015

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Dated this the 22nd day of December, 2015

JUDGMENT

Alexander Thomas, J.

The prayer in this Original Petition filed under Article 227 of the Constitution of India invoking the visitorial jurisdiction of the superintendence conferred on this Court, is for a direction to the Family Court, Ernakulam to dispose of Ext.P1 Original Petition and Ext.P3 counter claim on merits in a time bound manner, as fixed by this Court in the interest of justice. Considering the limited relief projected in this petition and the relief that is proposed to be granted by us in this petition, it is ordered that formal issuance of notice to the respondent stands dispensed with.

2. When the above Original Petition had come up for admission on 19-11-2015, this Court had directed the Registry to secure a report from the Family Court, Ernakulam regarding the present stage of O.P.No.43/2014 and the counter claim filed by the respondent in the said case and also directed the report of the Family Court shall indicate as to the maximum time frame required for the disposal of the matters. In pursuance of the said directions issued by this Court on 19-11-2015, the Family Court, Ernakulam as per letter dated

17-12-2015 has furnished a report to the Registry of this Court wherein inter alia, it is indicated that all efforts will be taken to finally dispose of the matters in question on or before 30-06-2016. In the light of the said report furnished by the Family Court, we do not propose to issue any specific directions to the Family Court in fixing any specific time limit for disposal of the matters, except to record the report furnished by the Family Court, Ernakulam to the Registry of this Court, wherein it is indicated that all reasonable endeavours would be taken by the court below to ensure the final disposal of the matters in question before 30-06-2016. Accordingly, it is ordered that the Family Court will take all reasonable endeavours possible under the circumstances to ensure that the matters in question are finally disposed of by the court below within the time limit suggested in the aforestated report dated 17-12-2015 of the Family Court, Ernakulam.

With these observations and directions, the Original Petition stands finally disposed of.

Sd/- C.K. ABDUL REHIM, JUDGE

Sd/- ALEXANDER THOMAS, JUDGE