

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. 569 of 2015 (R)

OP NO.49/2012 of FAMILY COURT,KOLLAM

PETITIONER:

SHYNI AGED 32 YEARS
D/O. PHILOMINA, RESIDING AT HOUSE NO. 1257
KOTTUKUZHAI PURAYIDOM, K.N.R.A NAGAR - 105, KOLLAM WEST
KOLLAM TALUK, KOLLAM.

BY ADVS.SRI.B.DIPU SACH DEEV
SRI.ARUN BABU

RESPONDENT:

BINU ALEX, AGED 36 YEARS
S/O. ALEXANDER, RESIDING AT HOUSE NO. 14/1819
BINU BHAVAN, KANNIMEL CHERRY, SAKTHIKULANGARA VLLAGE
MARUTHADY P.O., KOLAM TALUK
KOLLAM DISTRICT - 691 003.

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. 569 of 2015 (R)

APPENDIX

PETITIONER(S) ' EXHIBITS

P1 : COPY OF THE PETITION IN OP NO. 49/2012 BEFORE THE FAMILY
COURT, KOLLAM.

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.569 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 seeking invocation of the visitorial powers of superintendence conferred on this Court is for a direction to the Family Court, Kollam to dispose of the divorce petition, O.P(Divorce)No.49/2012 as expeditiously as possible at any rate within a time limit fixed by this Court. In the light of the limited relief sought in this petition and in view of the relief that is proposed to be granted in this petition, it is ordered that formal issuance of notice to the respondent herein stands dispensed with.

2. When the Original Petition had come up for admission on 03-12-2015, this Court had directed the Registry to call for a report from the Family Court, Kollam with respect to the maximum time that may be required for the disposal of OP (Divorce)No.49/2012 pending on the file of that court. In compliance of the said directions issued by this Court on 03-12-2015, the

Family Court, Kollam as by letter dated 16-12-2015 has furnished a report to the Registry of this Court, wherein inter alia it is disclosed that as on 30-11-2015 the total number of pendency of cases before that court is 3451, out of which 529 cases are specifically targeted for disposal. That in 8 cases, this Court has set time-limit for disposal and in more than 10 cases this Court has also given direction for expeditious completion of trial etc. and that all earnest efforts would be taken by the court below to ensure the disposal of OP (Divorce) No.49/2012 within an outer time limit of ten months, if the parties fully co-operate in that regard. Having regard to the contents of the said report dated 16-12-2015, submitted by the Family Court, Kollam, there is no necessity to keep this petition pending or to specifically stipulate any express time limit for the final disposal of the matter pending before the court below, except to record the report submitted by the Family Court, Kollam, on 16-12-2015 wherein it has been indicated that all earnest efforts would be taken by the court below to ensure the final disposal of OP (Divorce)No.49/2012 within an outer time limit of 10 months, if the parties fully co-operate in that regard.

3. Accordingly, it is expected that the Family Court, Kollam

will take all reasonable measures possible under the circumstances to ensure the final disposal of the Original Petition in question pending before that court within the time limit suggested in the report of the court below, provided the parties fully co-operate in that regard.

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

Sd/- C.K. ABDUL REHIM, JUDGE

Sd/- ALEXANDER THOMAS, JUDGE

MJL