

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.K.MOHANAN
&
THE HONOURABLE MR. JUSTICE P.D.RAJAN

WEDNESDAY, THE 21ST DAY OF JANUARY 2015/1ST MAGHA, 1936

OP (FC).No. 440 of 2014 (R)

(ORDER IN I.A.NO.208/2014 DT. 5.4.2014 IN O.P.(G&W)
838/2011)

PETITIONER(S)/COUNTER PETITIONER:

SHERIN D. THENAYAN
D/O.DEVASSY, THENAYAN HOUSE, VELLARAPPALLY
SOUTH PO, SREEMOOLANAGARAM, ERNAKULAM
PRESENTLY RESIDING AT NO.179
PEAL RESIDENCY 13TH CROSS, REMASH NAGAR, MRATHAHALLI
BANGALORE

BY ADVS.SRI.T.JAYAKRISHNAN
SRI.R.KRISHNAKUMAR (CHERTHALA)

RESPONDENT(S)/PETITIONER:

- 1. PRAFULLALAL C.P
S/O.PRABHAKARAN, MADHAVAM, PATTANAKKADU PO
CHERTHALA, ALAPPUZHA 688 524.

2. MEERA LAL
W/O.PRAFULLALAL, OF DO. DO. DO.

R1-R2 BY ADV. SRI.P.SANTHOSH KUMAR (TR)
R1-R2 BY ADV. SRI.T.P.SAJAN

THIS OP (FAMILY COURT) HAVING BEEN FINALLY HEARD ON
21-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

OP (FC).No. 440 of 2014 (R)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXHIBIT P1 COPY OF THE COMPROMISE DECREE PASSED IN OP(G & W) 838/2011
DATED 31/7/2012 IN THE FILES OF FAMILY COURT, ALAPPUZHA

EXHIBIT P2 COPY OF THE DECREE OF DIVORCE PASSED IN OP NO. 978/2011 IN
THE FILES OF THE FAMILHY COURT ALAPPUZHA DATED 31/7/2012.

EXHIBIT P3 COPY OF IA NO.1475/2013 DATED 21/7/2013 IN OP(G &W)
838/2011 IN THE FILES OF FAMILY COURT, ALAPPUZHA.

EXHIBIT P4 COPY OF IA 1868/2013 DATED 15/10/2013 IN OIP(G & W)
838/2011

EXHIBIT P5 COPY OF OBJECTION FILED TO EXHIBIT P4 PETITION DATED
3/12/2013

EXHIBIT P6 COPY OF ORDER PASSED IN EXHIBIT P4 PETITION DATED
3/12/2013.

EXHIBIT P7 COPY OF IA 208/2014 DATED 22/2/2014 FILED BY THE
RESPONDENTS HEREIN.

EXHIBIT P8 COPY OF OBJECTION FILED BY THE PETITIONER TO EXHIBIT P7
PETITION.

EXHIBIT P9 COPY OF ORDER PASSED IN IA NO.208/2014 BEARING DATE
5/4/2014 IN OP(G&W)838/2011

RESPONDENT(S) ' EXHIBITS
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NIL.

TRUE COPY

PS TO JUDGE.

acd

V.K.MOHANAN & P.D.RAJAN, JJ

.....
OP(FC)No. 440 of 2014

.....
Dated 21st JANUARY, 2015

JUDGMENT

V.K.MOHANAN, J

The above OP is filed challenging Ext.P9 order whereby the Family Court, Alappuzha ordered interim custody of the minor Malavika to be given to the petitioners therein who are the grand parents of the child for a period of first five days during Pooja vacation and last 5 days after X'mas during X'mas vacations and 10 days from 1st May during the summer vacations commencing from the summer vacation 2014. The learned Judge has also issued certain directions to carry out the above direction. It is the above order which is challenged by the petitioner, who is the mother of the child.

2. During the pendency of the above matter, the matter was sent for mediation and now both the counsel for the contesting parties submit that the entire dispute has been settled in the mediation. The Nodal Officer of

the Kerala Mediation Centre forwarded the report of the Mediator and the Memorandum of Settlement filed by the petitioner under Section 89 of the Code of Civil Procedure read with Rule 24 and 25 of the Civil Procedure (Alternative Dispute Resolution) Rules, 2008.

3. We have perused the report of the Mediator and have gone through the terms of settlement referred above. The above memorandum of settlement forms part of this judgment. Accordingly, this original petition is disposed of in terms of the above settlement.

V.K.MOHANAN, JUDGE

P.D.RAJAN, JUDGE

lgk