

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.K.MOHANAN

&

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

THURSDAY, THE 19TH DAY OF FEBRUARY 2015/30TH MAGHA, 1936

OP (FC).No. 605 of 2014 (R)

(AGAINST THE ORDER DATED 14.10.2014 IN I.A.No.2351/14 IN
O.P.NO.1186/13 OF THE FAMILY COURT, THRISSUR)

PETITIONER(S)/RESPONDENT:

ANIL C.JAYAN AGED 34 YEARS
S/O. C K JAYAKUMAR, JAKS COTTAGE, DOORADARSHAN ROAD
PADUKKAD P O, VIYYUR, THRISSUR-680010.

BY ADV. SRI.KALEESWARAM RAJ

RESPONDENT(S)/PETITIONER:

KRISHNAVENI, AGED 27 YEARS
D/O.KRISHNANKUTTY, SEETHA NIVAS, PATTAMBI VILLAGE
ONGALLUR DESOM, OTTAPPALAM TALUK

BY ADV. DR.GEORGE ABRAHAM
ADV. SRI.T.H.CHACKO

THIS OP (FAMILY COURT) HAVING BEEN FINALLY HEARD ON
19-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

OP (FC).No. 605 of 2014 (R)

APPENDIX

PETITIONER(S) ' EXHIBITS

P1:-TRUE COPY OF THE MEMORANDUM OF O P NO 1186/2013.

P2:-TRUE COPY OF THE ORDER DTD 14/10/2014 IN IA NO 2351/2014 IN OP NO 1186/2013.

RESPONDENT(S) ' EXHIBITS

NIL

//TRUE COPY//

P.A.TO JUDGE

ami/

V.K.MOHANAN & A.V.RAMAKRISHNA PILLAI, JJ.

O.P.(F.C.)No.605 of 2014

Dated this the 19th day of February, 2015.

J U D G M E N T

Mohanana, J.

The petitioner and respondent herein are respectively the husband and wife. The petitioner filed O P No.1186/13 before the Family court, Thrissur, seeking dissolution of marriage between the petitioner and the respondent on the ground of cruelty. In the said original petition, the respondent therein, who is the wife, preferred I.A.No.2351/14 under sections 24 and 25 of the Hindu Marriage Act for litigation expenses and maintenance. By order dated 14.10.2014 in I.A.No.2351/14 (Ext.P2), the learned Judge of the Family court, Thrissur, directed the petitioner herein, who is the respondent in the above interlocutory application, to pay Rs.5,000/- towards litigation expenses and Rs.3,000/- towards interim maintenance from the date of the above order. It is the above order challenged in the above writ petition filed

under Article 227 of the Constitution of India.

2. During the pendency of the above original petition, vide order dated 28.1.2015, we referred the matter for mediation. The Nodal Officer by his letter No.165/2015 dated 12.2.2015 forwarded the report of the Mediator including the terms and conditions arrived in the settlement. The mediation settlement agreement dated 11.2.2015 forms part of this judgment. As per Clause (1) of the agreement, the husband agreed to take back his wife and child to the matrimonial home today, on condition, the wife and child shall report before the Kerala Mediation Centre today at 10 a.m. As directed by us, as per the order dated 18.2.2015, the parties are present today and accordingly, they will report before the Kerala Mediation Centre today.

3. This original petition is disposed of in terms of the settlement referred above which forms part of this judgment and a decree will follow accordingly.

4. The learned counsel appearing for the petitioner

submitted that the petitioner has already deposited a sum of Rs.11,500/- in the Family court Thrissur and requested that the deposited amount may be permitted to withdraw by either of the parties and the learned counsel for the respondent has no objection for the same. Thus, it is made clear that the amount which referred above and deposited in the Family court, is permitted to withdraw by either of the parties and the learned Judge of the Family court, Thrissur, is directed to release the amount forthwith in favour of the applicant as and when a petition is filed in this behalf.

Original Petition is disposed of accordingly.

Sd/-

V.K.MOHANAN, Judge

Sd/-

A.V.RAMAKRISHNA PILLAI, Judge

ami/

//True copy//

P.A.to Judge