

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE MR.JUSTICE ANTONY DOMINIC
&
THE HONOURABLE MR. JUSTICE K.RAMAKRISHNAN**

TUESDAY, THE 10TH DAY OF MARCH 2015/19TH PHALGUNA, 1936

RP.No. 266 of 2014 () IN Mat.Appeal.771/2010

**AGAINST THE ORDER/JUDGMENT IN Mat.Appeal 771/2010 of HIGH COURT OF
KERALA DATED 8/1/14**

REVIEW PETITIONER(S):

**SARITH M, AGED 37 YEARS
S/O M.T. MAHESWARaN, AISWARYA VEEDU, NJALBHAGOM MURI
KAVIYOOR VILLAGE, THIRUVALLA TALUK**

**BY ADVS.SRI.K.SHAJ
SRI.SAJJU.S
SRI.RENJIT GEORGE**

RESPONDENT(S):

**SABNA P.S,, AGED 36 YEARS
D/O SELEENA SUKUMARAN, KANICHUKULAM
PUTHENPEEDIKAYIL VEEDU, MAMMOODU P.O
CHANGANACHERRY TALUK FROM DEEPTHIYIL, PEROOR P.O
ETTUMANOOR VILLAGE, KOTTAYAM TALUK**

BY SRI.V.SETHUNATH

**THIS REVIEW PETITION HAVING BEEN FINALLY HEARD ON 10-03-2015, THE
COURT ON THE SAME DAY PASSED THE FOLLOWING:**

RP No.266/14
in
MA No.771/10

APPENDIX

PETITIONER'S EXHIBITS

ANNEXURE A1: CERTIFIED COPY OF THE JUDGMENT DATED
8/1/14 IN MAT.APPEAL NO.771/2010 OF THE HON'BLE HIGH
COURT.

//True Copy//

PA to Judge

Rp

ANTONY DOMINIC & K.RAMAKRISHNAN, JJ.

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R.P.No.266 of 2014

in

MA No. 771 of 2010

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Dated this the 10th day of March, 2015

O R D E R

Antony Dominic, J.

C.M.Appln.No.1011/14

Heard the learned counsel for the petitioner and the learned counsel appearing for the respondent.

2. In the circumstances stated in the affidavit, delay of 10 days is condoned as prayed for.

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3. Heard the learned counsel for the petitioner and the learned counsel appearing for the respondent.

4. When this review petition was taken up, the only ground urged by the learned counsel for the petitioner was that, in the judgment, liberty was not reserved in favour of the petitioner to institute proceedings under the provisions of the Guardian and Wards Act for the custody of the child.

5. In so far as the prayer now made is concerned, during the pendency of the Mat Appeal, petitioner had filed IA No.192/13 for an

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in
MA No.771/2010.

: 2 :

order under Section 26 of the Hindu Marriage Act. In the order dated 8th January, 2014 passed in that IA, while declining the prayer sought for, this Court had left it open to the petitioner to institute appropriate proceedings for the custody of the child. Therefore, that liberty has already been granted by this Court and in view of that, it is not necessary to pass a separate order as now sought for.

With the above clarification, the review petition is disposed of.

Sd/-
ANTONY DOMINIC
JUDGE

Sd/-
K.RAMAKRISHNAN
JUDGE

Rp

//True Copy//

PA TO JUDGE