

Reena Vs. B. Shiji

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Court : Kerala

Decided On : Jan-31-2013

Judge : Honourable Mr.Justice Pius C.Kuriakose

Appellant : Reena

Respondent : B. Shiji

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE PIUS C.KURIAKOSE & THE HON'BLE MR. JUSTICE BABU MATHEW P.JOSEPH THURSDAY, THE 31ST DAY OF JANUARY 2013 11TH MAGHA 193 OP (FC).No. 374 of 2013 (R) ----- AGAINST THE ORDER/JUDGMENT IN OP(DIVORCE)NO.189/2009 of FAMILY COURT, NEDUMANGAD PETITIONER: ----- REENA, AGED 3 YEARS, D/O.RAJENDRAPRASATH,VARUVILA VEEDU,KEEZHOOR, POOMKULAM,AGRICULTURAL COLLEGE P.O., THIRUVANANTHAPURAM. BY ADV. SMT.P.M.SHIJI RESPONDENT: ----- B. SHIJI, AGED 4 YEARS, MEKKUMKARA VEEDU,PULIYOOR,PACHA P.O., PALODE THIRUVANANTHAPURAM-695562. THIS OP (FAMILY COURT) HAVING COME UP FOR ADMISSION ON 31-01-2013, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: AS OP (FC).No. 374 of 2013 APPENDIX PETITIONER(S) EXHIBITS: EXHIBIT-P1: THE TRUE COPY OF THE ORDER IN W.P.(CRIMINAL) NO.344/2008 DATED 30 10.2008. EXHIBIT-P2: THE TRUE COPY OF THE ORDER IN IA NO.1828/2010

DATED 20 09.2010. EXHIBIT-P3: THE TRUE COPY OF NEWS PAPER MATRUBHUMI DATED 11 01.2013. EXHIBIT-P4: THE TRUE COPY OF PULAKULIADIYANTHIRAM CARD. RESPONDENTS' EXHIBITS: NIL /TRUE COPY/ P.A.TO JUDGE AS PIUS C. KURIAKOSE & BABU MATHEW P. JOSEPH, JJ.

===== O.P. (F.C.) No. 374 of 2013 =====
Dated this the 31st day of January, 2013 JUDGMENT On considering this O.P. where the petitioner seeks a direction to the Family Court, Nedumangad for an early disposal of O.P. No. 189/2009 on the files of that Court, we directed the Registrar (Judicial) to get in touch with the Family Court, Nedumangad and file a report. Accordingly, the following report dated 30-1-2013 is submitted by the Registrar. "As directed, contacted the Family Court, Nedumangad. The learned Judge informed that O.P.No. 189/2009 is connected with O.P.No. 1817/2009 and O.P.No. 174/2009. In O.P.No. 189/2009 Advocate Commissioner has been appointed for recording evidence and the case stands posted to 31-03-2013 for Commissioner's Report. The other two O.Ps are also posted to 31-03-2013. According to the learned Judge, the cases are not proceeded with mainly for the reason that the disposal of O.P. (F.C.) No. 277/2010 by the Hon'ble High Court has not been recorded. A copy of the judgment in O.P. (F.C.) No. 277/2010 was therefore O.P. (F.C.) No. 374 of 2013 -2- sent to the learned Judge by fax. After perusing the said judgment, the learned Judge contacted me again and informed that she will advance the cases to an earlier date after giving notice to the parties and that she will make earnest efforts to dispose of the three O.Ps within three months".

2. In view of the above report, we issue a direction to the Family Court, Nedumangad to dispose of O.P.No. 189 of 2009 and also the connected O.P. No. 17/2009, 174/2009 in accordance with law at the earliest, at any rate within three months of receiving copy of this judgment. Sd/- PIUS C. KURIAKOSE JUDGE Sd/- BABU MATHEW P. JOSEPH JUDGE kvr/

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