

Sheeja Mol Vs. P. Sunil

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SooperKanoon Citation : sooperkanoon.com/1022140

Court : Kerala

Decided On : Aug-12-2013

Judge : Honourable Mr.Justice Antony Dominic

Appellant : Sheeja Mol

Respondent : P. Sunil

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE ANTONY DOMINIC & THE HONOURABLE MR. JUSTICE P.D.RAJAN MONDAY, THE 12TH DAY OF AUGUST 2013 21ST SRAVANA, 1935 OP (FC).No. 1846 of 2013 (R) ----- I.A. NO.104/2013 IN OP.NO. 449/2009 OF FAMILY COURT, KOZHIKODE. PETITIONER-(RESPONDENT IN I.A.104/2013 IN OP.NO. 449/2009): ----- SHEEJA MOL, D/O.BALAN, SREE KOUSTHUBHAM, THATTARI PARAMBA, VELLIMADUKUNNU, KOZHIKODE-673 012. BY ADV. SMT.ASHA CHERIAN. RESPONDENT-(PETITIONER IN I.A.104/2013 IN OP.NO. 449/2009): ----- P. SUNIL, S/O.BHASKARAN MASTER, SOURABYA, KIZHUKKARAPARAMBA, CHEVAYUR, KOZHIKODE-673 017. BY ADVS. SRI.MANJERI SUNDERRAJ, SMT.K.K.PREETHA. THIS OP (FAMILY COURT) HAVING BEEN FINALLY HEARD ON 12-08-2013, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: rs. OP (FC).No. 1846 of 2013 (R) APPENDIX PETITIONER'S

EXHIBITS:- EXHIBIT P1. TRUE COPY OF THE ORDER DATED 19 02/2009 IN OP NO.668/2008 OF FAMILYCOURT, KOZHIKODE. EXHIBIT P2. TRUE COPY OF THE ORDER DATED 01 07/2009 IN OP NO.449/2009 OF FAMILYCOURT, KOZHIKODE. EXHIBIT P3. TRUE COPY OF THE AFFIDAVIT DATED 02 09/2011 IN IA NO.1725/2011 IN OP.NO.449/2009 FILED BY THE RESPONDENT . EXHIBIT P4. TRUE COPY OF THE COUNTER STATEMENT FILED BY THE PETITIONER IN IA NO.1725/2011. EXHIBIT P5. TRUE COPY OF THE ORDER DATED 22 09/2011 IN IA NO.1725/2011 IN OP.NO.449/2009 OF FAMILY COURT, KOZHIKODE. EXHIBIT P6. TRUE COPY OF THE AFFIDAVIT IN IA NO.104/2013 IN OP.NO.449/2009 FILED BY THE RESPONDENT. EXHIBIT P7. TRUE COPY OF THE COUNTER STATEMENT FILED BY THE PETITIONER IN IA. NO.104/2013. EXHIBIT P8. TRUE COPY OF THE COMPLAINT DATED 23 03/2013 FILED BY THE PETITIONER IN IA NO.104/2013 BEFORE THE SHERISTADAR, FAMILY COURT, KOZHIKODE. EXHIBIT P9. TRUE COPY OF THE ORDER DATED 26 04/2013 IN IA NO.104/2013 IN OP NO.449/2009 OF FAMILYCOURT, KOZHIKODE. EXHIBIT P10 COPY OF THE I.A.504/2013 DATED 27 05/2013 FILED BY THE RESPONDENT BEFORE FAMILYCOURT, KOZHIKODE. RESPONDENT'S EXHIBITS:- EXT.R1 COPY OF THE MO RECEIPTS SENT BY RESPONDENT TO THE PETITIONER. EXT.R2 COPY OF THE BANK ACCOUNT STATEMENT OF THE RESPONDENT. EXT.R3 COPY OF THE TERM DEPOSIT RECEIPT IN THE NAME OF MINOR BY RESPONDENT. EXT.R4 COPY OF THE 6 SHEETS EXTRACTS OF 2.PHOTOGRAPHS OF THE CHILD WITH THE RESPONDENT AND RELATIVES. //TRUE COPY// P.A. TO JUDGE. rs. ANTONY DOMINIC & P.D. RAJAN, JJ.

----- O.P.(FC)No.1846 of 2013
----- Dated this the 12th day of August, 2013

JUDGMENT

ANTONY DOMINIC,J.

From the submissions made by both sides, it is seen that the dispute in O.P.No.449/2009 on the file of the Family Court, Kozhikode itself has been settled between the parties in mediation at Kozhikode. In such circumstances, there is no

warrant for examining the validity of the interim order passed by the Family Court in the aforesaid O.P., which is challenged in this original petition (FC). Accordingly, the O.P.(FC) is closed. ANTONY DOMINIC, JUDGE P.D. RAJAN, JUDGE. acd

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