

Jayan vs Sheeja

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Court : Kerala

Decided On : Apr-23-2024

Judge : Honourable Mr.Justice V.G.Arun,Honourable Mr. Justice S.Manu

Appeal No. : OP (FC)/198/2024

Appellant : JAYAN

Respondent : Sheeja

Judgement :

OP(FC) No.198 of 2024 1

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE V.G.ARUN & THE HONOURABLE MR. JUSTICE S.MANU TUESDAY, THE 23RD DAY OF APRIL 2024 / 3RD VAISAKHA, 1946 OP (FC) NO. 198 OF 2024 AGAINST THE ORDER/JUDGMENT DATED IN OP NO.484 OF 2023 OF FAMILY COURT, OTTAPPALAM PETITIONERS: 1 JAYAN AGED 49 YEARS S/O. KUNJAN RESIDING AT PUTHANKULAM VEEDU, THIRUVAZHAYODE P.O. OTTAPALAM TALUK, PALAKKAD DISTRICT, REPRESENTED BY HIS POWER OF ATTORNEY JANAKI W/O KUNJAN, AGED 73 YEARS, RESIDING AT PUTHANKULAM VEEDU, THIRUVAZHAYODE P.O. OTTAPALAM TALUK, PALAKKAD DISTRICT, PIN - 679514 2 JANAKI AGED 73 YEARS W/O KUNJAN,

RESIDING AT PUTHANKULAM VEEDU, THIRUVAZHIYODE P.O. OTTAPALAM TALUK, PALAKKAD DISTRICT, PIN - 679514 BY ADVS. T.K.SANDEEP SWETHA R. RESPONDENTS: SHEEJA D/O.SREEDHARAN, AGED 35 YEARS, PUNNAMPALLIYALIL VEEDU, POOKKOTTUKAVU P.O. OTTAPALAM TALUK, PALAKKAD, PIN - 679514 BY ADVS. JAYARAJ M LATHEEF P.K.(K/1290/2020) OP(FC) No.198 of 2024 2 THIS OP (FAMILY COURT) HAVING COME UP FOR ADMISSION ON 23.04.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: OP(FC) No.198 of 2024 3

V.G. ARUN, J.

& S.MANU, J ----- OP(FC) No.198 of 2024
----- Dated this the 23rd day of April 2023

JUDGMENT

V.G.ARUN,J.

This original petition is filed challenging Ext.P4 order by which the Family Court has issued certain directions regarding the interim custody of the minor child of the first petitioner and respondent. The main grievance is with respect to the direction to grant interim custody of the child to the mother for one month during summer vacation.

2. We heard the learned Counsel on either side at length and

interacted with the child. Based on such interaction, we find that, for the time being, interim custody of the child can be granted to the respondent from 27/04/2024 to 07/05/2024. We are limiting the custody upto before the Family Court on 07/05/2024. We direct the Family court to take a decision regarding the future custody of the child during the balance period of the summer vacation. For this purpose, the learned Judge of the Family Court may interact with the child on 07/05/2024 OP(FC) No.198 of 2024 4 and take a decision keeping in mind the welfare and the wish of the child. The original petition is disposed of as above.
Sd/- V.G. ARUN, Judge Sd/- S.MANU, Judge dpk OP(FC) No.198 of 2024 5

APPENDIX OF OP (FC) 198/2024 PETITIONER EXHIBITS Exhibit P1 TRUE COPY OF O.P. NO.484/2023 FILED BY THE RESPONDENT HEREIN BEFORE THE FAMILY COURT, OTTAPALAM Exhibit P2 TRUE COPY OF I.A. NO. 1/2023 IN O.P. NO.484/2023 FILED BY THE RESPONDENT HEREIN BEFORE THE FAMILY COURT, OTTAPALAM Exhibit P3 COUNTER STATEMENT FILED BY THE PETITIONERS HEREIN IN I.A. NO. 1/2023 IN O.P. NO.484/2023 BEFORE THE FAMILY COURT, OTTAPALAM Exhibit P4 TRUE COPY OF THE ORDER DATED 22.12.2023 IN I.A. NO. OTTAPALAM

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