

Abdu Rahiman vs Jamaludheen

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Court : Kerala

Decided On : Jul-31-2024

Judge : Honourable Mr. Justice Devan Ramachandran, Honourable Mrs. Justice M.B. Snehalatha

Appeal No. : OP (FC)/487/2024

Appellant : Abdu Rahiman

Respondent : Jamaludheen

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN & THE HONOURABLE MRS. JUSTICE M.B. SNEHALATHA WEDNESDAY, THE 31ST DAY OF JULY 2024 / 9TH SRAVANA, 1946 AGAINST THE ORDER IN I.A.9/2024 IN OP NO.28 OF 2021 OF FAMILY COURT, TIRUR PETITIONERS/PETITIONERS/ADDL.RESPONDENTS 3 & 4: 1 ABDU RAHIMAN AGED 66 YEARS S/O. MUHAMMED, KADUNGAMKUNNATH HOUSE, MUTHOOR P.O., VATTAMKULAM, PONNANI, THRISSUR, PIN - 679578 2 SULAIKHA AGED 49 YEARS MUNDAMVALAPPIL HOUSE, KUDALLUR P.O., PATTAMBI, ANAKKARA, PALAKKAD, PIN - 679554 BY ADV SHABU SREEDHARAN RESPONDENTS/RESPONDENTS/RESPONDENTS 1 & 2: 1

JAMALUDHEEN 2 RAMLA BEEGAM 3 ABU CHEKIDAMKUZHIYIL HOUSE, KATTIPARUTHI, TIRUR, MALAPPURAM, THIS OP (FAMILY COURT) HAVING COME UP FOR ADMISSION ON 31.07.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

DEVAN RAMACHANDRAN (J) The singular prayer of the petitioners is that the learned Family Court, Tirur, be directed to dispose of I.A.No.9/2024 in O.P.No.28/2021 - exhibited as Ext.P2 herein - within a time frame to be fixed by this Court.

2. We notice from Ext.P2 that, what the petitioners require is an order from the learned Family Court to lift the attachment over their property, saying that they are not parties to O.P.No.28/2021.

3. We do not propose to enter into the merits

of any of the contentions since, it is impermissible for us to do at this stage. However, if Ext.P2 is still pending, obviously, the learned Family Court, Tirur, will consider the same as per law and subject to the time frames as are involved.

4. Normally, this Court loathe in directing the learned Family Court to dispose of matters within set time frames.

5. We, therefore, leave liberty to the

petitioners to move the learned Family Court for expeditious disposal of Ext.P2; and if such is done, then the said Court will decide the application in terms of law, after affording necessary opportunity to both sides, without any avoidable delay. If, for any reason, the learned Family Court does not dispose of Ext.P2 within a period of three months from today, the petitioners are left liberty to approach this Court again. DEVAN RAMACHANDRAN JUDGE M.B. SNEHALATHA SAS JUDGE APPENDIX OF OP (FC) 487/2024 PETITIONERS EXHIBITS: Exhibit-P1 THE TRUE COPY OF THE MEMORANDUM OF OP NO. FILED ON 8.1.2021 Exhibit-P2 THE TRUE COPY OF IA NO. 9/2024 IN OP NO. Exhibit-P3 THE TRUE

COPY OF THE PROCEEDINGS OF THE FAMILY COURT, TIRUR IN RESPECT
OF OP NO. 28/2021 TAKEN FROM E-COURT SERVICES

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