**SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com**

**Abdul Mujeeb vs Suja**

**Abdul Mujeeb vs Suja**

**SooperKanoon Citation** : sooperkanoon.com/1332358

**Court** : Kerala Orders

**Decided On :** Jan-18-2023

**Judge** : Honourable Mr. Justice Anil K.Narendran,Honourable Mr.Justice P.G. Ajithkumar

**Appeal No.** : OP (FC)/25/2023

**Appellant** : Abdul Mujeeb

**Respondent** : SUJA

**Judgement** :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE ANIL K.NARENDRAN & THE HONOURABLE MR.JUSTICE P.G. AJITHKUMAR WEDNESDAY, THE 18TH DAY OF JANUARY 2023 / 28TH POUSHA, 1944 OP (FC) NO. 25 OF 2023 IN O.P.NO.339 OF 2016 OF THE FAMILY COURT, MAVELIKKARA PETITIONER: ABDUL MUJEEB, AGED 52 YEARS, S/O. P.K.HASSAN, PUTHANTHARAYIL HOUSE, THOTTAPPALLY MURI, PURAKKADU, ALAPPUZHA DISTRICT., PIN - 688563 BY ADVS. T.MADHU C.R.SARADAMANI B.K.RAJAGOPAL SHAHID AZEEZ RENJISH S. MENON RESPONDENTS: 1 SUJA, AGED 42 YEARS, W/O. ABDUL MUJEEB, SAJI MANZIL, THAMALLACKAL,

KUMARAPURAM, HARIPAD, ALAPPUZHA DISTRICT, PIN - 690548 2 KHADEEJA BEEVI, AGED 76 YEARS, W/O.P.K. HASSAN, RESIDING AT PUTHANTHARAYIL HOUSE, THOTTAPPALLY MURI, PURAKKADU, ALAPPUZHA DISTRICT, PIN - 688561 THIS OP (FAMILY COURT) HAVING COME UP FOR ADMISSION ON 18.01.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

## JUDGMENT

**Anil K. Narendran, J.**

The petitioner, who is the 1st respondent in O.P.No.339 of

2016 on the file of the Family Court, Mavelikkara, has filed this original petition invoking the extraordinary jurisdiction of this Court under Article 227 of the Constitution of India, seeking a declaration that when different suits or other proceedings between the same parties pending before different courts or before the same court in different proceedings are settled in mediation, the Mediator/Mediation Centre has to send the report along with the settlement agreement as contemplated under Rule 24 of the Civil Procedure (Alternate Disputes Resolution) Rules, 2008 to all the courts in which the disputes which are settled in mediation are pending, so as to secure the ends of justice. The petitioner has also sought for an order directing the Mediation Sub Centre, Haripad to forward the Ext.P3 settlement agreement to the learned Family Court, Mavelikkara forthwith and direct the learned Family Court, Mavelikkara to pass orders under Rule 25 of the Civil Procedure (Alternative Dispute Resolution) Rules, 2008 based on the mediation settlement agreement, so as to secure the ends of justice.

2. On 17.01.2023, when this original petition came up for admission, after arguing for some time, the learned counsel for the petitioner sought time to address further arguments.

3. Today, when this matter is taken up for consideration,

after arguing for some time, the learned counsel for the petitioner seeks permission to withdraw this original petition, without prejudice to the right of the petitioner to approach the appropriate court for redressal of his grievance, seeking appropriate relief. Based on the aforesaid submission made by the learned counsel for the petitioner, this original petition is dismissed as withdrawn, without prejudice to the aforesaid right of the petitioner.

ANIL K. NARENDRAN P.G. AJITHKUMAR yd APPENDIX PETITIONER EXHIBITS Exhibit-P1 THE TRUE COPY OF THE PETITION IN M.C.NO.27/2013 ON THE FILES OF THE LEARNED JUDICIAL FIRST CLASS MAGIS- TRATES COURT-II, HARIPAD Exhibit-P2 THE TRUE COPY OF THE ORIGINAL PETITION IN O.P.NO.339/2016 ON THE FILES OF THE LEARNED FAMILY COURT MAVELIKKARA Exhibit-P3 THE TRUE COPY OF THE ORDER DATED FILES OF THE LEARNED JUDICIAL FIRST CLASS MAGISTRATE'S COURT-II, HARIPAD Exhibit-P4 THE TRUE COPY OF THE OBJECTION FILED BY

THE PETITIONER AND THE SECOND RESPOND- ENT IN O.P.NO.339/2016 ON THE FILES OF THE FAMILY COURT, MAVELIKKARA

**SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com**