

Sunitha vs Prathapan

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Court : Kerala

Decided On : Aug-04-2021

Judge : Honourable Mr. Justice a.Muhamed Mustaque,Honourable Dr. Justice Kauser Edappagath

Appeal No. : OP (FC)/391/2021

Appellant : Sunitha

Respondent : Prathapan

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE & THE HONOURABLE DR. JUSTICE KAUSER EDAPPAGATH WEDNESDAY, THE 4TH DAY OF AUGUST 2021 / 13TH SRAVANA, 1943 OP (FC) NO. 391 OF 2021

ORDER IN IA 2731/2021 IN OP 1381/2021 DATED 9.7.2021 OF

FAMILY COURT, ERNAKULAM PETITIONER/RESPONDENT: SUNITHA, AGED 40 YEARS W/O. PRATHAPAN, 69/1616, PRASANNA VILASAM, FOUR LINE ROAD, ERNAKULAM - 682018. BY ADV T.B.MINI RESPONDENT/PETITIONER: PRATHAPAN, 69/1616, PRASANNA VILASAM, FOUR LINE ROAD, ERNAKULAM - 682018. THIS OP (FAMILY COURT) HAVING COME UP FOR

ADMISSION ON 04.08.2021, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: -:2:-

J U D G M E N T

Dated this the 4th day of August, 2021

A.Muhamed Mustaque,J.

Aggrieved by an ex parte injunction order passed by the Family Court, Ernakulam in OP No.1381/2021, the petitioner has approached this court. We may not be justified in interfering with an ex parte order as the

petitioner has an efficacious remedy by raising objection before the Family Court. It is submitted that the case is now posted to 12/8/2021. If the petitioner files objection before that date, necessarily, the Family Court shall hear and pass appropriate orders, after adverting to the objection, without much delay. With the above observation, this original petition is disposed of. A.MUHAMED MUSTAQUE DR. KAUSER EDAPPAGATH kp True copy P.A. To Judge -:3:- APPENDIX OF OP (FC) 391/2021 PETITIONER EXHIBITS Exhibit P1 TRUE COPY OF PETITION M.C. 6/21 FILED BEFORE ADDITIONAL CHIEF JUDICIAL MAGISTRATE COURT AT ERNAKULAM. Exhibit P2 TRUE COPY OF PETITION CRL.M.P 209/21 IN M.C MAGISTRATE COURT AT ERNAKULAM. Exhibit P3 TRUE COPY OF MEDICAL RECORD ISSUED FROM THE GENERAL HOSPITAL ERNAKULAM. Exhibit P4 TRUE COPY OF THE COMPLAINT FILED BY THE PETITIONER BEFORE THE TOWN (KASABA) POLICE STATION, ERNAKULAM. Exhibit P5 TRUE COPY OF PETITION O.P 1381/21 FILED BEFORE FAMILY COURT AT ERNAKULAM. Exhibit P6 PHOTOGRAPH OF INJURY CAUSED TO THE PETITIONER. Exhibit P7 TRUE COPY OF THE INJUNCTION ORDER DATED 9.7.21 IN IA 2731/21 IN OP NO.1381/21. Exhibit P8 TRUE COPY OF THE RENT RECEIPT ISSUED IN RESPECT OF B SCHEDULE SHOP ROOM. Exhibit P9 TRUE COPY OF THE PETITION CRL.MP.239/2021 FILED BY NOUSHAD BEFORE ADDITIONAL CHIEF JUDICIAL MAGISTRATE COURT, ERNAKULAM. Exhibit P10 TRUE COPY OF

THE COMMISSION REPORT FILED BEFORE THE FAMILY COURT ON 19.07.2021. Exhibit P11 TRUE COPY OF THE F.I.R IN CRIME NO. NORTH POLICE.

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