

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE DR. JUSTICE KAUSER EDAPPAGATH

TUESDAY, THE 31<sup>ST</sup> DAY OF AUGUST 2021 / 9TH BHADRA, 1943

OP (FC) NO. 427 OF 2021

AGAINST THE ORDER/JUDGMENT IN GOP 1014/2021 OF FAMILY  
COURT, ERNAKULAM, ERNAKULAM

PETITIONERS:

- 1 BIBIN, AGED 28 YEARS, S/O BABU, AYYANKANEZHATHU HOUSE,  
PALLURUTHY, KUMBALANGI VIA, KOCHI-682 006.
- 2 BABU, AGED 53 YEARS, S/O BHASKARAN, AYYANKANNEZHATHU  
HOUSE, PALLURUTHY, KUMBALANGI VIA, KOCHI-682 006.
- 3 PRASANNA, AGED 52 YEARS, W/O BABU, AYYANKANNEZHATHU  
HOUSE, PALLURUTHY, KUMBALANGI VIA, KOCHI-682 006.

BY ADVS.  
SABU JOHN  
G.BINDU  
RAJEEVU L.G.

RESPONDENT:

ANILA M.V, AGED 24 YEARS, D/O VISWANATHAN.M.S, W/O BIBIN,  
MANGALATHU HOUSE, VADUTHALA.P.O, KOCHI-682 023.

BY ADVS.  
DENIZEN KOMATH  
MEREENA.J.JOSEPH

THIS OP (FAMILY COURT) HAVING BEEN FINALLY HEARD ON 31.08.2021, THE  
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

## **JUDGMENT**

### **A.Muhamed Mustaque, J**

This original petition was filed challenging an ex-parte order in an application for interim custody. The petitioners have now appeared before the Family Court. It is appropriate that the Family Court pass appropriate orders after adverting to the petitioners objection. Accordingly, Ext.P3 is set aside.

2. It is submitted that the matter is posted on 1.09.2021 before the Family Court. we, therefore, direct the Family Court to pass orders after hearing both sides.

This Original petition is disposed of as above.

Sd/-

**A.MUHAMED MUSTAQUE**

**JUDGE**

Sd/-

**DR. KAUSER EDAPPAGATH**

**JUDGE**

APPENDIX OF OP (FC) 427/2021

PETITIONER EXHIBITS

Exhibit P1	TRUE COPY PETITION GOP NO.1014/2021 OF THE FAMILY COURT, ERNAKULAM.
Exhibit P2	TRUE COPY OF THE PETITION IN I.A.NO.2175/2021 BEFORE THE FAMILY COURT, ERNAKULAM
Exhibit P3	TRUE COPY OF THE ORDER IN I.A.NO.2175/2021 OF THE FAMILY COURT, ERNAKULAM
Exhibit P4	TRUE COPY OF SCREEN SHOT OF WHATSAPP CHAT OF ERNAKULAM BAR ASSOCIATION DATED 02/08/2021
Exhibit P5	TRUE COPY OF THE COUNTER AFFIDAVIT FILED BY THE PETITIONERS DATED 18/08/2021 FILED ON 24/08/2018
Exhibit P6	THE CERTIFICATE ISSUED DATED 5/04/2021 FROM THE LOURDES HOSPITAL
Exhibit P7	CONSENT DOCUMENTBETWEEN THE PARENTS OF THE 1ST RESPONDENT AND THE 1ST PETITIONER DATED 08/02/2021
Exhibit P8	CONSENT RECEIPT BETWEEN THE 1ST RESPONDENT AND THE 1ST PETITIONER DATED 17/02/2021
Exhibit P9	TRUE COPY OF THE PETITION IN I.A.NO.3607/2021 OF THE FAMILY COURT,ERNAKULAM.