

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE
&
THE HONOURABLE MRS. JUSTICE SOPHY THOMAS

TUESDAY, THE 13TH DAY OF JUNE 2023 / 23RD JYAISHTA, 1945
OP (FC) NO. 262 OF 2023

AGAINST THE ORDER/JUDGMENT IN OP 742/2023 OF FAMILY COURT,
KUNNAMKULAM
GOP 1792/2017 OF FAMILY COURT, THRISSUR

PETITIONER/PETITIONER IN IA:

PRAVEEN A R
AGED 40 YEARS, S/O.RAVEENDRAN AG,
PERMANENTLY RESIDING AT ANJALASSERRY
HOUSE, ELAMKUNNAPUZHA, ERNAKULAM-682503,
NOW RESIDING AT VILLA 97, BNIYAS EAST
11, ABUDHABI, UAE REPRESENTED BY HIS
POWER OF ATTORNEY HOLDER RAVEENDRAN A G,
AGED 71 YEARS, SON OF GOPALAN, RESIDING
AT ANJALASSERRY HOUSE, ELAMKUNNAPUZHA,
ERNAKULAM DISTRICT 682503, PIN - 682503

BY ADVS.
C.RAJENDRAN
B.V.BALAKRISHNAN

RESPONDENTS/RESPONDENTS IN IA:

- 1 REMYA K J, W/O.PRAVEEN,
AGED 31 YEARS
KOCHAAN HOUSE, CHAVAKKAD, BLANGAD,
THRISSUR, PIN - 680506.
- 2 JAYARAM
AGED 56 YEARS
SON OF BHASKARAN, KOCHAAN HOUSE,
CHAVAKKAD, BLANGAD, THRISSUR, PIN -
680506

3 SAMYUKTHA @ RANI
AGED 49 YEARS
W/O.JAYARAM, KOCHAAN HOUSE, CHAVAKKAD,
BLANGAD, THRISSUR, PIN - 680506

4 RAVEENDRAN A G
AGED 71 YEARS
S/O.GOPALAN RESIDING AT ANJALASSERRY
HOUSE, ELAMKUNNAPUZHA, ERNAKULAM
DISTRICT, PIN - 682503

5 VIJAYALAKSHMI
AGED 61 YEARS
W/O.RAVEENDRAN A G RESIDING AT
ANJALASSERRY HOUSE, ELAMKUNNAPUZHA,
ERNAKULAM DISTRICT, PIN - 682503.

BY ADV SRI.RAJIT

THIS OP (FAMILY COURT) HAVING COME UP FOR ADMISSION
ON 13.06.2023, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

**A.MUHAMED MUSTAQUE &
SOPHY THOMAS, JJ.**

O.P (FC) No.262 of 2023

Dated this the 13th day of June, 2023

J U D G M E N T

Sophy Thomas, J.

The husband is before us challenging Ext.P2 order of the Family Court, Kunnankulam, dismissing his application to receive a compact disc as an additional document.

2. The husband filed OP No.742 of 2023 before Family Court, Kunnankulam, for custody of his minor child, and it was tried along with the OP for restitution of conjugal rights filed by him. The evidence of the petitioner is going on and meanwhile, he filed I.A No.34 of 2022 to accept the compact disc, which contains the conversation between himself and his father-in-law, to prove that the back pain of his wife was not caused by him, and it was the result of jumping a fence.

3. Learned Family Court Judge dismissed that application finding that, the OPs filed by him were for custody of the child and restitution of conjugal rights, and the compact disc and its

contents had no relevance with the subject matter involved. The Family Court further found that, after starting trial, the parties were filing petitions after petitions, to cause inordinate delay in concluding the trial.

4. Considering the point to be proved by accepting the compact disc, we are also of the view that, it has no relevance at all, as far as the dispute involved in the above OPs are concerned. So, we find nothing illegal or improper in Ext.P2 order of the Family Court warranting our interference.

In the result, the original petition stands dismissed. If the petitioner is aggrieved by the final outcome in OP No.742 of 2023, he is at liberty to challenge Ext.P2 order also, in the appeal if any filed by him.

Sd/-

**A.MUHAMED MUSTAQUE
JUDGE**

Sd/-

**SOPHY THOMAS
JUDGE**

smp

APPENDIX OF OP (FC) 262/2023

PETITIONER EXHIBITS

Exhibit A TRUE PHOTOCOPY OF THE APPLICATION [IA 34/2022] WAS
P1 FILED BY THE PETITIONER FOR ACCEPTING AN ADDITIONAL
DOCUMENT BEFORE THE HON'BLE FAMILY COURT, THRISSUR
DATED 10/10/2022

Exhibit A CERTIFIED COPY OF THE ORDER IN IA 34/2022 IN OP
P2 742/2023 DATED 29/12/2022 PASSED BY THE HON'BLE
FAMILY COURT, KUNNAMKULAM

Exhibit A TRUE PHOTOCOPY OF THE AFFIDAVIT FILED BY THE 1ST
P3 RESPONDENT BEFORE THE FAMILY COURT DATED 23/02/2019
IN IA 34/2022 IN GOP 1792/2017 FAMILY COURT THRISSUR

True Copy

P.S to Judge

smp