

A.MUHAMED MUSTAQUE & C.S.DIAS, JJ.

**OP(FC).Nos.352, 420, 433, 436, 441, 447, 456,
493, 517 and 526 of 2020**

&

**35, 37, 38, 43, 45, 47, 51, 52, 58, 60, 64, 65,
66, 68, 69, 73, 74, 76, 78 and 89 of 2021**

O R D E R

Dated this the 24th day of June, 2022

A.Muhamed Mustaque, J.

O.P.(FC).No.352/2020:-

When the original petitions were taken up for consideration by this Court today, Advocate R.Leela, an active practitioner before the Family Courts, pointed out the pathetic condition prevailing in the Family Courts functioning in the State. It is a known matter that most of the Family Courts are functioning in leased premises without adequate infrastructure and

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facilities. There is not even a waiting room for the children who are brought to the Courts for providing access, visitation rights and interim custody to their parents. In a few Family Courts, the children and the parties are seen standing in jam-packed corridors and even on the roads for the whole day. The congested Courts and the over-crowded premises, in fact, stares at the young minds, who develop negative notions regarding the justice delivery system in the Country. At the same time, we notice there are dedicated places in the POCSO Courts in the State, where the surroundings are made conducive in the best interest of children. In such circumstances, we deem it appropriate to call for a report from the Registrar (District Judiciary) as to the number of POCSO Courts functioning in the near vicinity of the Family Courts in the State and to explore the possibility of dedicating a separate room in all the Family Courts,

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with a child friendly atmosphere somewhat akin to the POCSO Courts, to facilitate the handing over of the children, and for the parents to exercise their interim custody and visitation rights. The Registrar (District Judiciary) shall place on board a report in this regard within a period of four weeks from today.

We also see that in most of the original petitions filed before this Court, the Family Courts are not following the directions issued by this Court in this case {Shiju Joy v. Nisha [2021 (2) KLT 607]}, especially pertaining to the speedy disposal of the Interlocutory Applications in a time bound manner. The Registrar (District Judiciary) is directed to inform all the Presiding Officers of the Family Courts to strictly follow the directions issued by this Court, and to dispose of the Interlocutory Applications filed in all cases in a time bound manner. Registry is

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directed to show the name of Smt.R.Leela in the cause
list.

Post on 29/7/2022 along with connected cases.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

Sd/-

C.S.DIAS, JUDGE

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