

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

SATURDAY, THE 20TH DAY OF DECEMBER 2014/29TH AGRAHAYANA, 1936

OP(Crl.).No. 308 of 2014 (Q)

PETITIONER(S):

**1. MEGHANA AGED 29 YEARS
D/O THAIVALAPPIL JAYAPRAKASH
NOW RESIDING AT THAIVALAPPIL HOUSE
IRINJALAKKUDA, THRISSUR**

**2. PARVATHY, AGED 3 YEARS
(MINOR) REP. BY MOTHER AND GUARDIAN
1ST PETITIONER PARVATHY
D/O THAIVALAPPIL JAYAPRAKASH
NOW RESIDING AT THAIVALAPPIL HOUSE
IRINJALAKKUDA, THRISSUR**

**BY ADVS.SRI.P.SANTHOSH (PODUVAL)
SMT.R.RAJITHA
SRI.K.D.SREEVISAKH**

RESPONDENT(S):

**1.RATHEESH
S/O KANATTIL RAJAN
AVITTATHOOR DESOM, KADUPPASSERY VILLAGE
MUKUNDAPURAM TALUK, THRISSUR – 680 683**

**2. STATE OF KERALA, REP. BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA
ERNAKULAM 682 031**

R BY GOVERNMENT PLEADER SMT. S. HYMA

**THIS OP (CRIMINAL) HAVING COME UP FOR ADMISSION ON 20-12-2014, THE COURT
ON THE SAME DAY DELIVERED THE FOLLOWING:**

OP (CrI.)308/2014

APPENDIX

PETITIONERS EXHIBITS:

EXHIBIT P1: TRUE COPY OF THE PETITION IN M.C NO.48/2014 BEFORE THE FAMILY COURT, IRINJALAKKUDA

EXHIBIT P2: TRUE COPY OF THE PETITION WAS FILED AS M.P 108/2014 IN M.C NO.48/14 BEFORE THE FAMILY COURT, IRINJALAKKUDA

EXHIBIT P3: TRUE COPY OF COUNTER FILED BY THE RESPONDENT IN M.C 48/14

EXHIBIT P4: TRUE COPY OF THE COUNTER IN M.P 108/14 IN M.C 48/2014 BEFORE THE FAMILY COURT, IRINJALAKKUDA

EXHIBIT P5: CERTIFIED COPY OF THE ORDER DATED 30/9/14 IN M.P 108/14 IN M.C 48/2014 ON THE FILE OF FAMILY COURT, IRINJALAKKUDA

RESPONDENTS EXHIBITS:

/TRUE COPY/

**PA TO JUDGE
sab**

P.UBAID, J.

O.P(Crl.) No.308 of 2014

Dated this the 20th day of December, 2014.

J U D G M E N T

The petitioners herein are the claimants in M.C 48/2014 before the Family Court, Irinjalakkuda brought under Section 125 Cr.P.C. Pending the proceedings they filed C.M.P 108/2014 for interim maintenance at the rate of 35,000/- per month. The respondent entered appearance and expressed his readiness to pay either interim maintenance at the rate of 2,000/- per month, or to meet the educational expenses of the child. The court below accepted the offer, and passed orders granting maintenance to the child alone at the rate of Rs.2,000/- per month. The first petitioner is not satisfied. She also wants interim maintenance. In the alternative she seeks a direction to the court below to expedite trial in M.C 48/2014.

2. On hearing the learned counsel I find that pre-trial steps in the proceeding are over. If so, the main proceeding itself can be tried and disposed of at the earliest. The trial court has ordered interim maintenance to the child, and it is submitted that it is being paid promptly. In such a situation, it will suffice that a direction is made to the court below to expedite the trial in M.C No. 48/2014.

In the result, this original petition is closed with direction to the court below that M.C 48/2014 shall be tried and disposed of as expeditiously as possible. Earnest efforts shall be made to dispose of the M.C within three months, if possible.

P.UBAID,
JUDGE

sab