IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE VIJU ABRAHAM

FRIDAY, THE 2ND DAY OF AUGUST 2024 / 11TH SRAVANA, 1946

OP(C) NO. 1504 OF 2024

IN OS NO.29 OF 2019 OF MUNSIFF COURT ,PARAPPANANGADI

PETITIONER:

PRAVEEN BALAKRISHNAN
AGED 44 YEARS
S/O. BALAKRISHNAN MANGATTAYIL, MANGATTAYIL HOUSE, P.O. PARIYAPURAM, TANUR, MALAPPURAM DISTRICT
REPRESENTED BY HIS POWER OF ATTORNEY HOLDER PAVITHRAN. P., S/O. SANKARAN, AGED 60 YEARS, PUTHUKULANGARA HOUSE, P.O. PANAGATTUR, PARIYAPURAM VILLAGE, TANUR, TIRUR TALUK, MALAPPURAM DISTRICT, PIN - 676302

BY ADVS.
K.P.SUDHEER
BHAVANA J. MENON

RESPONDENT:

PRASANTH. B
AGED 45 YEARS
S/O. BALAKRISHNAN, MANGATTAYIL HOUSE, PARIYAPURAM AMSOM, ERANAKARANALLUR DESOM, P.O. PARIYAPURAM, TANUR, TIRUR TALUK, MALAPPURAM DISTRICT, PIN - 676302

THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 02.08.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

VIJU ABRAHAM, J.

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O.P.(C) No.1504 of 2024

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Dated this the 2nd day of August, 2024

JUDGMENT

The above original petition has been filed seeking a direction for early disposal of O.S. No.29/2019, pending before the Munsiff Court, Parappanangadi.

2. The petitioner is the defendant in the above said suit. The petitioner submits that the pleadings are over and the case is posted for pre-trial steps on 31.07.2024. It is also submitted by the petitioner that he is a person having 62% permanent disability as evident from Ext.P5 certificate of disability issued by the Department of Empowerment and Persons with Disabilities, Ministry of Social Justice and Empowerment, Government of India. It is further averred that the petitioner's sister is also having locomotor disability of 40%, as evident form Ext.P6 and that the petitioner is taking care of the affairs of his sister.

3. This Court has called for a report from the trial court concerned regarding the present status of the suit. The trial court has submitted a report dated 24.07.2024, wherein it is reported that the case is now posted to 31.07.2024 for pre-trial steps and

has sought 5 months' time for trial and disposal of the same.

Taking into consideration the health condition of the petitioner of having 62% locomotor disability, I am inclined to dispose of the original petition by directing that the trial court shall take steps to see that the trial of the suit is completed and the case is disposed of, without any delay, preferably within 5 months from the date of completion of the pre-trial steps, as sought in the report dated 24.07.2024.

Sd/-
VIJU ABRAHAM
JUDGE

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APPENDIX OF OP(C) 1504/2024

PETITIONER EXHIBITS

EXHIBIT P 1	**TRUE COPY OF SPECIAL POWER OF ATTORNEY EXECUTED BY THE DEFENDANT IN THE AFOREMENTIONED ORIGINAL SUIT (PETITIONER HEREIN) AND DATED 24.5.2024**
EXHIBIT P 2	**TRUE COPY OF PLAINT DATED 12/02/2019 IN O.S. NO. 29/2019 ON THE FILE OF THE MUNSIFF’S COURT, PARAPPANANGADI.**
EXHIBIT P 3	**TRUE COPY OF WRITTEN STATEMENT DATED 08/10/2019 FILED BY THE DEFENDANT/ PETITIONER HEREIN IN O.S. NO. 29/2019 ON THE FILE OF THE MUNSIFF’S COURT, PARAPPANANGADI.**
EXHIBIT P 4	**TRUE COPY OF CASE STATUS OF EXHIBIT P2 ORIGINAL SUIT DOWNLOADED FROM THE WEBSITE**
EXHIBIT P 5	**TRUE COPY OF DISABILITY CERTIFICATE DATED 16/04/2022 ISSUED BY THE DEPARTMENT OF EMPOWERMENT AND PERSONS WITH DISABILITIES, MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT, GOVERNMENT OF INDIA**
EXHIBIT P 6	**TRUE COPY OF DISABILITY CERTIFICATE NO. GJ1930619810022726 DATED 15/02/2018 ISSUED BY THE DEPARTMENT OF EMPOWERMENT AND PERSONS WITH DISABILITIES, MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT, GOVERNMENT OF INDIA ISSUED TO THE PETITIONER’S SISTER, PRANITA.**