



O.P(C). No.1851 of 2024

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2024:KER:66609

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE VIJU ABRAHAM

TUESDAY, THE 3RD DAY OF SEPTEMBER 2024 / 12TH BHADRA, 1946

OP(C) NO. 1851 OF 2024

OS NO.242 OF 2023 OF MUNSIF COURT ,PATHANAMTHITTA

PETITIONER:

M/S ANNMARY GROUP REPRESENTED BY IT'S PROPRIETOR
ANISH THOMAS MATHEW
ANNMARY GROUP (A UNIT OF VISHAL CATERING), NO.5,
MAYOR CHITTIBABU STREET, TRIPLICANE, CHENNAI,
TAMILNADU, 600005 HAVING THE PRESENT CORRESPONDENCE
ADDRESS NO.15, 1ST FLOOR, CLC ROAD,
OPP. SREE BALAJI HOSPITAL, CHROMPET,
CHENNAI, 600044, REPRESENTED BY IT'S PROPRIETOR
MR. ANISH THOMAS MATHEW AGED 40 YEARS
S/O M.T. MATHEW, NO22/16, PANNEER SELVAM STREET,
VENKATAPURAM, AMBATTUR, THIRUVALLUR,
TAMILNADU, PIN -, PIN - 600053

BY ADVS.
JOHNY K.GEORGE
ATHULYA MARTIN

RESPONDENT:

M/S MGM MUTHOOT MEDICAL CENTRE PATHANAMHITTA
REP. BY IT'S HOSPITAL ADMINISTRATOR
MGM MUTHOOT MEDICAL CENTRE, PATHANAMTHITTA,
PATHANAMTHITTA P.O., PATHANAMTHITTA VILLAGE,
KOZHANCHERY TALUK, PATHANAMTHITTA DISTRICT
REPRESENTED BY M/S HOSPITAL ADMINISTRATOR,
MGM MUTHOOT MEDICAL CENTRE, PATHANAMTHITTA,
PATHANAMTHITTA P.O., PATHANAMTHITTA VILLAGE,
KOZHANCHERY TALUK, PATHANAMTHITTA DISTRICT,
PIN - 689654

BY M/S MGM MUTHOOT MEDICAL CENTRE PATHANAMHITTA REP.
BY IT'S HOSPITAL ADMINISTRATOR(Party-In-Person)

THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 03.09.2024,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:



VIJU ABRAHAM, J.

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O.P(C). No.1851 of 2024
.....

Dated this the 3rd day of September, 2024

JUDGMENT

Petitioner has approached this Court seeking expeditious disposal of O.S.No.242 of 2023 and also for disposal of I.A.No.1 of 2024 in I.A.No.1 of 2023 in O.S.No.242 of 2023 on the files of the Munsiff's Court, Pathanamthitta.

2. Since the suit is of the year 2023, I am not inclined to fix any time limit for disposal of the same. I have called for a report regarding the present status of Ext.P4 application which is stated to be filed as I.A.No.1 of 2024 in I.A.No.1 of 2023 in O.S.No.242 of 2023 wherein the petitioner has sought for extension of the injunction order granted in I.A.No.1 of 2023. A report has been submitted wherein it is stated that I.A.No.1 of 2023 was allowed and an ad-interim injunction was granted till 15.09.2023. Thereafter I.A.No.5 of 2024 was filed for extension of the order of interim injunction which was opposed by the defendants and the said I.A. is posed for hearing along with I.A.No.1 of 2023. Thereafter the case was posted for exploring the chances of settlement between the parties. Therefore the court has sought for atleast one month's time to dispose of I.A.No.1 of 2023 on merits.



Taking into consideration the above facts and circumstances, I am inclined to dispose of the original petition with a direction to the Munsiff's Court, Pathanamthitta to dispose of I.A.Nos.1 of 2023 and 5 of 2024 (petition seeking extension of the order of interim injunction) without any delay, at any rate, within an outer limit of one month from the date of receipt of a copy of the judgment.

With the above direction the Original Petition is disposed of.

Sd/-

**VIJU ABRAHAM
JUDGE**

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APPENDIX OF OP(C) 1851/2024**PETITIONER EXHIBITS**

- Exhibit P1** A TRUE COPY OF THE OS 242 OF 2023, ON THE FILES BEFORE HON’BLE MUNSIFF COURT PATHANAMTHITTA
- Exhibit P2** A TRUE COPY OF THE PETITION OF IA NO 1/2023 IN O.S NO. 242 OF 2023, ON THE FILES BEFORE HON’BLE MUNSIFF COURT PATHANAMTHITTA DATED 10.08.2023
- Exhibit P3** A TRUE COPY OF THE ORDER OF IA NO 1/2023 IN O.S NO. 242 OF 2023, ON THE FILES BEFORE HON’BLE MUNSIFF COURT PATHANAMTHITTA DATED 11-08-2023
- Exhibit P4** A TRUE COPY OF THE PETITION OF 1A 1/2024 IN IA 1/2023 IN OS 242 OF 2023, ON THE FILES BEFORE HON’BLE MUNSIFF COURT PATHANAMTHITTA DATED 27-04-2024
- Exhibit P5** A TRUE COPY OF THE COMPLAINT FILED BEFORE THE ACCOMMODATION CONTROLLER ON 21.08.2024