

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s). 1082/2020

SUHAS CHAKMA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

[ONLY IA NO. 272752/25 IS LISTED UNDER THIS ITEM.].....MR.
K. PARAMESHWAR, SR. ADVOCATE AS AMICUS CURIAE.
IA No. 272752/2025 - CLARIFICATION/DIRECTION

Date : 02-12-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE VIKRAM NATH
HON'BLE MR. JUSTICE SANDEEP MEHTA

Amicus Curiae : Mr. K. Parameshwar, Sr. Adv
Mr. Raji Gurujaj, Adv.
Mr./Ms. Veda Singh, Adv.
Mr. Prasad Hegde, Adv.
Mr. Prasad Hegde, Adv.
Mr. Sai Kaushal, Adv.

For Petitioner(s) :

Mr. Satish Pandey, AOR
Ms. Jay Jaimini Pandey, Adv.
Mrs. Smriti Kumari, Adv.
Mr. Meghraj Singh, Adv.
Mr. Harendra Kumar Sharma, Adv.
Mr. Prabhoo Dayal Tiwari, Adv.
Mr. Tanvir Islam Siddiui, Adv.
Mr. Aakash Saini, Adv.
Mr. Akbar Ali, Adv.
Ms. Sadiya Shakeel, Adv.
Mr. Anirudh Bankura, Adv.
Ms. Sakshi Dubey, Adv.
Mr. Sudhanshu Tiwari, Adv.

For Respondent(s) :

Mr. Suryaprakash V Raju, A.S.G.
Mr. Rajan K Chourasia, Adv.
Mr. Kanu Agrawal, Adv.
Mr. Raghav Sharma, Adv.
Ms. Priyanka Terdal, Adv.
Mr. Zoheb Hussain, Adv.

Mr. Arvind Kumar Sharma, AOR

Mr. Guntur Pramod Kumar, AOR
Ms. Prerna Singh, Adv.
Mr. Dhruv Yadav, Adv.
Mr. Keshav Singh, Adv.

Ms. Disha Singh, AOR
Ms. Eliza Bar, Adv.

Mr. Shuvodeep Roy, AOR
Mr. Deepayan Dutta, Adv.
Mr. Saurabh Tripathi, Adv.

Mr. Abhishek Pandey, Adv.
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Ms. Neha Singh, Adv.

Dr. Hemant Gupta, A.A.G. (Haryana)
Mr. Samar Vijay Singh, AOR
Ms. Payal Gupta, Adv.
Ms. Sabarni Som, Adv.
Mr. Rony John, Adv.
Mr. Aman Dev Sharma, Adv.
Ms. Neha Raj Singh, Adv.
Mr. Ujjwal Singh Parmar, Adv.

Mr. Kartikeya Rastogi, Adv.
Ms. Inderdeep Kaur Raina, Adv.
Mr. Akshay Girish Ringe, AOR

Mr. Jaideep Gupta, Sr. Adv.
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Mr. Astik Gupta, Adv.
Ms. Akanksha Tomar, Adv.

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Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Aniruddha Pande, AOR
Mr. Shrirang B. Varma, Adv.

Mr. Lenin Singh Hijam, Adv. Gen, Sr, Adv.
Mr. Pukhrambam Ramesh Kumar, AOR
Mr. Karun Sharma, Adv.
Ms. Anupama Ngangom, Adv.
Ms. Rajkumari Divyasana, Adv.

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Mr. Maha Singh Rathore, Adv.

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Mr. Sarthak Karol, Adv.
Ms. Astha Singh, Adv.
Mr. Jagdish Chandra Solanki, Adv.
Mr. Ketan Paul, Adv.
Mr. Mayank Pandey, Adv.

Ms. Rashmi Nandakumar, AOR
Ms. Yashmita Pandey, Adv.

UPON hearing the counsel the Court made the following
O R D E R

IA NO. 272752 OF 2025

1. We have heard Mr. K. Parameshwar, learned amicus curiae, Mr. Suryaprakash V Raju learned ASG, learned counsel appearing for the State of Kerala along with other counsel.

2. IA No. 272752 of 2025 filed on behalf of State of Kerala seeks following relief from this Court :

"Pass necessary order or direction granting permission to allot 257 acres out of 457 acres of Nettukaltheri open prison as follows;

(1) 180 acres to BrahMos Aerospace Trivandrum Limited (BATL),

(ii) 45 acres to Sashastra Seema Bal (SSB) for establishing a Battalion Headquarters, and

(iii) 32 acres to establish the National Forensic Science University"

3. Learned amicus curiae, after examining the entire material on record, has submitted that the said Interlocutory Application may be allowed,

considering the nature of requirement of the land, which is part and parcel and forms an integral part of the open prison.

4. Further, in his report, the learned *amicus curiae* has given preference to the proposals submitted by the State regarding the transfer of the land for various strategic purposes as mentioned in their application.

5. Paragraph 9 of the Report is reproduced hereunder :

"In the context of the aforementioned national and security interest considerations, the State proposes the following plan:

(i) The State undertakes to permanently retain an area of 200 acres for Nettukaltheri Open Jail;

(ii) The remaining area would be deparcelled and allocated as 180 acres to BrahMos Aerospace Trivandrum Limited; 45 acres to Sahastra Seema Bal for a Battallion Headquarters; and 32 acres to the National Forensic Science University;

(iii) The allocation will not be prejudicial to the proper functioning of the Open Jail because the land requested by BATL (180 acres in Re-survey Number 66), is physically separated from

the main Jail compound (Re Survey 45/1) by private land and there is a distance of approximately 3 kilometers. Furthermore, the new units for BATL, SSB, and NFSU can be located in separate compounds, ensuring no encroachment on the 200 acres retained for the Jail.

(iv) A buffer zone can be provided by way of open space and wider road from 200 acres of the proposed retention of jail compound."

6. The contents of paragraph 9 are based upon the averments mentioned in paragraph 9 of the application i.e. IA No. 272752 of 2025 para 9 of the application. Accordingly, we allow this application and direct the State of Kerala to take necessary steps to give effect to the proposal contained in paragraph 9. (Supra)

7. The Interlocutory Application stands disposed of accordingly.

8. Orders/judgment on the conditions of OCI reserved after hearing the learned *amicus curiae* and also upon hearing the submissions advanced by the learned *amicus curiae* and learned ASG Mr. Suryaprakash V Raju, learned counsel Ms. Rashmi Nandakumar, learned counsel appearing for NALSA, Mr.

Anando Mukherjee, learned counsel and Mr. Hemant Gupta along with other counsel.

(SONIA BHASIN)
ASSISTANT REGISTRAR-CUM-PS

(RANJANA SHAILEY)
ASSISTANT REGISTRAR