

**IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN**

Friday, the 6th day of February 2026 / 17th Magha, 1947

RP NO. 1394 OF 2025 in WP(C)22750/2018 (P)

REVIEW PETITIONER/3RD PARTY:

RAHUL K.T, AGED 38 YEARS, S/O. K.K.THANKAPPAN, KUDILINGAL HOUSE,
THAIKKATTUKARA P.O, ALUVA, ERNAKULAM, PIN - 683106

RESPONDENT/PETITIONER & RESPONDENTS:

1. ST. STEPHEN'S MALANKARA CATHOLIC CHURCH KATTANAM VILLAGE, BHARANICKAVU, ALAPPUZHA, REPRESENTED BY ITS TRUSTEE SILVY GEORGE, AGED 48 YEARS, S/O GEORGE, MANKAVIL, KATTANAM VILLAGE, BHARANICKAVU, ALAPPUZH, PIN - 690503
2. STATE OF KERALA, REPRESENTED BY THE PRINCIPAL SECRETARY, PUBLIC WORKS DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695001
3. PRINCIPAL SECRETARY, LOCAL SELF GOVERNMENT DEPARTMENT, STATE OF KERALA, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695001
4. DISTRICT COLLECTOR, COLLECTORATE, CIVIL STATION, ALAPPUZHA, PIN - 688001
5. CHIEF ENGINEER (R AND B), PUBLIC WORKS DEPARTMENT, MUSEUM, THIRUVANANTHAPURAM, PIN - 695033
6. EXECUTIVE ENGINEER, ROADS PWD ROADS DIVISION, COLLECTORATE BUILDING, ALAPPUZHA, PIN - 688001
7. ASST. ENGINEER, PUBLIC WORKS DEPARTMENT, KATTANAM, ALAPPUZHA, PIN - 688001
8. BHARANICKAVU GRAMA PANCHAYAT, REPRESENTED BY ITS SECRETARY, BHARANICKAVU, ALAPPUZHA, PIN - 690520
9. SECRETARY, BHARANICKAVU GRAMA PANCHAYAT, BHARANICKAVU, ALAPPUZHA, PIN - 690520
10. SUB INSPECTOR, KURATHIKAD POLICE STATION, MAVELIKKARA, ALAPPUZHA, PIN - 690101
11. KERALA ADVERTISING INDUSTRIES ASSOCIATION, REGN NO.EKM/TC/536/2012, STATE OFFICE IVTH FLOOR, MATHEWSONS TRADE CENTRE (NEAR TVS), KALOOR, KOCHI, REPRESENTED BY ITS SECRETARY G.RAMESH BABU, S/O. P.D.KESAVA PILLAI, AGED 60., PIN - 682017
12. THE CORPORATION OF KOCHI, REPRESENTED BY THE SECRETARY, P.B.NO.1016, KOCHI, PIN - 682011
13. THE CORPORATION OF THIRUVANANTHAPURAM, REPRESENTED BY SECRETARY, VIKAS BHAVAN (P.O), THIRUVANANTHAPURAM, PIN - 695033
14. THE CORPORATION OF KOLLAM, REPRESENTED BY SECRETARY, KOLLAM, PIN - 691001
15. THE CORPORATION OF KANNUR, REPRESENTED BY SECRETARY, P.B.NO.39, KANNUR, PIN - 670001
16. THE CORPORATION OF THRISSUR, REPRESENTED BY SECRETARY, THRISSUR, PIN - 680011
17. THE CORPORATION OF KOZHIKODE, REPRESENTED BY SECRETARY, KOZHIKODE,

PIN - 673001

- 18. THE CHIEF SECRETARY OF THE GOVERNMENT OF KERALA, THIRUVANANTHAPURAM, PIN - 695001**
- 19. THE STATE POLICE CHIEF, STATE OF KERALA, PIN - 695010**
- 20. THE ELECTION COMMISSION OF INDIA, REPRESENTED BY ITS SECRETARY, NIRAVACHAN SADAN, ASOKA ROAD, NEW DELHI , PIN - 110001**
- 21. THE KERALA STATE ELECTION COMMISSION, REPRESENTED BY ITS SECRETARY, CORPORATION OFFICE COMPLEX, LMS JUNCTION, THIRUVANANTHAPURAM, PIN - 695033**
- 22. NATIONAL HIGHWAY AUTHORITY OF INDIA, G 5 & 6, DABRI-GURGAON RD, SECTOR 10 DWARKA, DELHI, PIN - 110075**
- 23. STATE ROAD SAFETY AUTHORITY, REPRESENTED BY ITS CEO, TRANSPORTCOMMISSIONERATE, FOURTH FLOOR, TRANS BUILDING, VAZHUTHAKKAD, THIRUVANANTHAPURAM, PIN - 695014**
- 24. DIRECTOR OF PANCHAYATH, PANCHAYATH DIRECTORATE, SWARAJ BHAVAN, GRAND FLOOR, NANTHANCODE, KOWDIAR P.O., THIRUVANANTHAPURAM, PIN - 695003**
- 25. DIRECTOR OF URBAN AFFAIRS, 1ST FLOOR, SWARAJ BHAVAN, NANTHANCODE P.O., THIRUVANANTHAPURAM, PIN - 695003**

Review Petition praying inter alia that in the circumstances stated in the affidavit filed along with the WP(C) the High Court be pleased to direct the State of Kerala to file an explanation for the noncompliance of the impugned judgment, in the interest of justice equity and good conscience.

This Review Petition coming on for orders upon perusing the petition and the affidavit filed in support of WP(C) and this Court's judgment dated 13.03.2025 and order dated 23.01.2026 and upon hearing the arguments of M/S AMRUTHA SURESH, Advocate for Review Petitioner/3rd Party, M/S. GEORGE VARGHESE (PERUMPALLIKUTTIYIL), A.R. DILEEP, P.J. JOE PAUL & MANU SEBASTIAN, Advocates for the R1 in RP/petitioner in WP(C), SRI.K.V.SOHAN, STATE ATTORNEY, SRI ASHOK M.CHERIAN, ADDITIONAL ADVOCATE GENERAL & T.S.SHYAMPRASANTH (GOVERNMENT PLEADER) for R2 to R7 in RP/R1 to R6 in WP(C), SRI.VINCENT JOSEPH, Advocate for R9 in RP/R8 in WP(C), SRI.K.V.SOHAN (STATE ATTORNEY) & GOVERNMENT PLEADER for R10 & R18 in RP/R9 & R17 in WP(C), SRI.LAL K.JOSEPH, STANDING COUNSEL for R11 in RP/R10 in WP(C), M/S.BABU KARUKAPADATH & C.N PRABHAKARAN, STANDING COUNSEL for R12 in RP/Addl.R11 in WP(C), SRI.N.NANDAKUMARA MENON (SENIOR ADVOCATE) along with SRI.SUMAN CHAKRAVARTHY, STANDING COUNSEL for R13 in RP/Addl.R12 in WP(C), SRI.M.K.CHANDRA MOHAN DAS (STANDING COUNSEL) & SRI.S.SREEKUMAR (KOLLAM) for R14 in RP/ Addl.R13 in W.P.(C), SRI.K.K.CHANDRAN PILLAI (SENIOR ADVOCATE) along with M/S.S.AMBILY, NAMITHA NAMBIAR, SAJI THOMAS, VANIAH MARIA DOMINIC, M. MEENA JOHN & ISSAC M PERUMPILLIL, Advocates for R15 in RP/ADDL.R14 in W.P.(C), SRI.SANTHOSH P.PODUVAL, STANDING COUNSEL for R16 in RP/Addl.R15 in WP(C) , M/S.BINDUMOL JOSEPH, B.S.S, SRI.DEEPULAL MOHAN, STANDING COUNSEL for R21 in RP/ Addl.R20 in WP(C), and of SRI.HARISH VASUDEVAN, AMICUS CURIAE, & SRI.JACOB for assisting AMICUS CURIAE (By order), the court passed the following:

DEVAN RAMACHANDRAN, J.

R.P.No.1394/2025 in WP(C)No.22750/2018

Dated this the 6th day of February, 2026

O R D E R

Devan Ramachandran, J.

The learned Amicus Curiae – Sri Harish Vasudevan, submits that unauthorized boards and flags are reappearing with vengeance; and that the perpetrators virtually assume that they will not be taken to task.

2. The learned Amicus Curiae has filed the report dated 05.02.2026 and has posed some questions in paragraph 5 thereafter, which are very relevant and hence extracted below:

5. It is to be noted that 3 years is over, after issuing the said Govt Order. A system is in place to address the issue in hand. Whether that system is functional? We have to find answer for the same to know the status of compliance of the Judgment of this Hon'ble Court. A number of violations and lapses of officials have been pointed out by me before this Hon'ble Court, through several reports. None of such lapses are found by any District Committees. The following data / information is essential and imperative to understand the status of effective compliance:

a) How many meetings have been conducted by each District Level Monitoring Committee in the State, in the last 3 years? Provide a copy of the minutes of each of such meetings to know how seriously they were functional and doing their duty.

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b) What are the hurdles / lapses / non-compliance reported by any of the District Level Committee / Joint Directors (LSG) in this regard?

c) What are the disciplinary actions reported / suggested by the District Level Committees / Joint Directors (LSG) against the lapses / non- compliance of the orders / Judgment.

d) Whether Joint Directors of Thiruvananthapuram and Ernakulam Districts ensured that the violations reported by the Amicus Curiae in this case is properly ended up in registration of FIR against the violators? Provide such action taken details.

e) License of how many Printers and Advertisement Agencies are cancelled within last 3 years, as a part of the implementation of the Govt order in this regard?

f) What are the steps taken by the Joint Director (LSG) in each District to ensure that no new unauthorized boards and flags will be installed in the public place? What are the steps taken by them to ensure that FIR is registered in each case of violation, ending up in proper filing of charge sheet.

3. Sri. T.S. Shyam Prasanth — the learned Senior Government Pleader, appearing for the Government of Kerala and its authorities, requested time to go through the report and offer answers.

4. The learned Standing Counsel for the Corporations of Kochi and Thiruvananthapuram, submitted that violations happen in the sleigh and by powerful entities; and that the authorities are caught in the cross fire. This was affirmed by the learned Standing Counsel for the Thrissur Corporation also.

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5. This court is exasperated by the excuses now offered. Boards and flags are installed with impunity every day; and are removed under orders, but only to reappear.

6. It is rather strange and bewildering that anyone is able to put up any illegal installation on public spaces, without any if the authorities being notified or being informed; and thereafter the authority maintains stoic silence on it, thus allowing it to be where it is for weeks, months, or even years.

7. For example, the learned Amicus Curiae refers to Elangunnappuzha Panchayath, where he says there are boards which are more than a year or so old, stacked against each other, at various places. He added that this is only an illustrative mention and that most of the public spaces in Kerala are now getting gripped by the menace.

8. Pertinently, for some reason, most – if not all – of these illegal installations are made in the pedestrian area and on the pedestrian rails and traffic islands. This is a sure recipe for accidents, injuries, and even death; because the flags put up

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on the hand rails, flutter into the road, and road users and pedestrians are hit by them, or are injured because the rails carry vestiges in terms of metal pieces, ties, etc.

9. One recent observation the learned Amicus Curiae brought to the notice of this Court was that the illegal flags/boards are now being fastened by plastic tapes which are bound around it multiple times. He told this Court that its removal is highly painstaking because, it has to be carefully cut and disposed; and while doing so, the paint on the handrails and other installations are removed and lost. This is nothing short of defacement and callous indifference to the public exchequer, which spends money for the upkeep of such facilities, including by painting it repeatedly.

10. One cannot understand how any citizen or entity can have the courage to deface public spaces in this manner; and the use of such materials also causes long range and large scale damage to the nature and ecosystem. To add to this, is the number of man days lost of the Local Self Government

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Institutions, which are forced to depute persons merely for the purpose of removal of the illegal installations, which never ought to have been allowed to be kept in the first place.

11. This is not the first time this Court is speaking, I am fully aware; but when there is a duty to speak, silence is a crime, and this Court will press on until the ideals of ‘Swach Bharath’ and ‘Nava Kerala’ are attained.

12. That said, I accede to the request of the learned Government Pleader for time, to respond to the report of the learned Amicus Curiae – Sri.Harish Vasudevan, particularly with respect to the questions he has posed in paragraph No.5. The response shall be in the form of an affidavit, to be filed by the Principal Secretary of LSGI, or such other competent Authority that he may depute.

13. The responsibility under the Statute is certainly not on the Secretary of the LSGI alone, but also on the Officers in the hierarchy. The immediate responsibility would be on the Joint Directors of LSGDs, whose duty is to supervise the actions

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of the Secretaries. One wonders why they have not been discharging this duty in any manner at all – at least no such having been brought to the notice of this Court until now.

14. This court has fixed deadlines for Secretaries to act and they have all passed. Therefore, every illegal flag/board/installation which are put unauthorised on the public spaces is their personal responsibility already. It is for the supervising Authorities to take action against them and this is precisely why this Review Petition has been filed.

15. Therefore, I direct that the Joint Directors of the LSGDs will immediately initiate a drive in the area in their command, issuing necessary instructions to the Secretaries of the LSGIs under them to clean up the territories and ensure that no further illegal installations are allowed. This shall be done within the next two weeks; and those officers who are unable to do so for any reason, shall be present before this Court online for interaction.

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16. Before I close, it is necessary to remind the stakeholders that the State Police Chief has issued Circulars offering full assistance to the Secretaries of the Local Self Government Institutions. This cannot remain on paper and the Police must also act proactively, whenever they are in seizen of any information – either in the form of a complaint from the Local Self Government Institutions or in any other manner.

With the afore directions, I adjourn this matter to be called on 19.02.2026.



Sd/-

DEVAN RAMACHANDRAN,
JUDGE

HKH/RR