

**IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE THE CHIEF JUSTICE MR. SOUMEN SEN
&
THE HONOURABLE MR.JUSTICE C. JAYACHANDRAN**

**Tuesday, the 10th day of March 2026 / 19th Phalgun, 1947
WP(C) NO. 16773 OF 2020(S)**

PETITIONER:

**KERALA STATE LEGAL SERVICES AUTHORITY, REPRESENTED BY
ITS MEMBER SECRETARY, NIYAMA SAHAYA BHAVAN,
HIGH COURT COMPOUND, ERNAKULAM, KOCHI - 682 031.**

RESPONDENTS:

- 1. STATE OF KERALA, REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY, HOME DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695 001.**
- 2. THE DIRECTOR, WOMEN AND CHILD DEVELOPMENT DEPARTMENT, GOVERNMENT OF KERALA, SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695 012.**
- 3. THE DIRECTOR, FORENSIC SCIENCE LABORATORY, THIRUVANANTHAPURAM, PIN - 695 011.**
- 4. THE KERALA PUBLIC SERVICE COMMISSION, REPRESENTED BY ITS SECRETARY, PSC OFFICE, PATTOM, THIRUVANANTHAPURAM, PIN - 695 004.**

ADDITIONAL R5 IMPLEADED

- 5. KERALA STATE POLICE CHIEF, GOVERNMENT OF KERALA,
THIRUVANANTHAPURAM.**

**ADDL. R5 IS SUO MOTU IMPLEADED AS PER ORDER DATED 30/9/2020
IN WPC 16773 OF 2020.**

Writ Petition (Civil) praying inter alia that in the circumstances stated in the affidavit filed along with the WP(C) the High Court be pleased to

1. to direct the 4th respondent to furnish a status report regarding recruitment of Scientific Assistants in the Forensic Science Laboratories and

P.T.O.

2. to direct the respondents 1 and 2 to furnish a status report regarding appointment of Special Prosecutors for POCSO Special Courts of the State.

This petition coming again on for admission upon perusing the petition and the affidavit filed in support of WP(C), this Court's order dated 17/02/2026 and upon hearing the arguments of M/S. ROSHEN D. ALEXANDER, TINA ALEX THOMAS & HARIMOHAN, Advocates for the petitioner, SRI.N.MANOJ KUMAR, STATE ATTORNEY for R1 to R3 & Addl.R5, SRI. P.C.SASIDHARAN, STANDING COUNSEL for R4 and of SRI.T.V.VINU, CENTRAL GOVERNMENT COUNSEL, the court passed the following:

P.T.O.



Soumen Sen, C.J. & C. Jayachandran, J.

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W.P.(C) No. 16773 of 2020

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Dated this the 10th day of March, 2026

Appearance:

For the Petitioner : Mr.Roshen D. Alexander
For the Respondents : Mr.P.C.Sasidharan,
Standing Counsel
Mr.N.Manoj Kumar,
State Attorney
Mr.T.V.Vinu, CGC

ORDER

Soumen Sen, C.J.

The affidavit filed on behalf of the 1st respondent is taken on record.

2. Mr.N.Manoj Kumar, learned State Attorney appearing for the State, has submitted that, till date, 10 candidates out of 12 candidates selected for the post of Scientific Officer in the State Forensic Science Laboratory (SFSL) have joined. However, further creation of posts have been deferred on the basis of the observations made by the Finance Department. In the affidavit, it is stated that, considering the serious concern expressed by this Court in the last hearing and

W.P.(C) No. 16773 of 2020

2

the necessity of reforming the forensic infrastructure, the Government is in the process of creation of additional 19 posts of Scientific Officer and the matter is now been placed before the Council of Ministers for appropriate decision.

3. The requirement of additional 19 posts, in our view, should not be deferred, as it is going to cause serious impediments in disposal of criminal matters or other similar matters, where such scientific expert evidence is required. Having regard to the fact that the State Police Chief has recommended the creation of such posts, the same require serious consideration, as, in our view, the said officer is best suited to make the recommendation, which is adequately justified by him. We observe that many cases have not proceeded due to lack of FSL Report and files have been delayed, which cause serious prejudice to the under trials. Under such circumstances, we expect a rationale decision be taken in this regard for the creation of 19 additional posts.

4. A supplementary affidavit, disclosing the steps taken and any decision in this regard, shall be placed before this Court on the adjourned date, upon prior service on the

W.P.(C) No. 16773 of 2020

3

learned counsel for the parties.

5. Considering the requirement of FSL Reports in NDPS cases and enormous increase in other criminal matters where FSL and Scientific Reports are urgently required for smooth trial, we feel that the Central Government may consider establishing a Central Forensic Science Laboratory (CFSL) in the State.

6. The learned counsel for the Central Government submits that there are 6 Central Laboratories in the Country and shall take instruction from appropriate authority as to whether a CFSL can be established in the State.

The matters are adjourned to 7.4.2026, within which time we expect a decision is taken.

**Sd/-
Soumen Sen
Chief Justice**

**Sd/-
C. Jayachandran
Judge**

MMG