

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN
Thursday, the 30th day of October 2025 / 8th Karthika, 1947

MACA NO. 352 OF 2022 (F)

OP(MV)NO.1236/2015 OF ADDITIONAL MOTOR ACCIDENTS CLAIMS TRIBUNAL , THALASSERY

APPELLANT/3RD RESPONDENT IN OP(MV):

**KERALA STATE INSURANCE DEPARTMENT, REPRESENTED BY DISTRICT
INSURANCE OFFICER, CIVIL STATION, KOZHIKODE - 673620**

BY GOVERNMENT PLEADER

RESPONDENTS/PETITIONERS & RESPONDENTS 1 & 2 IN OP(MV):

- 1. JOY WILSON M.V, S/O.VINCENT, GLENDALE, CHERUVANNUR, FEROKE P.O.,
KOZHIKODE, PIN- 673 631**
- 2. GLEN ELVIS M.J., S/O.JOY WILSON, GLENDALE, CHERUVANNUR, FEROKE
P.O.,KOZHIKKODE, PIN-673631**
- 3. RENIL ASHLIN M.J., S/O.JOY WILSON, GLENDALE, CHERUVANNUR, FEROKE
P.O.,KOZHIKKODE - 673631,**
- 4. LILLY MENDONZA, W/O.LATE WILLIAM MENDONZA, CAMEL VILLA, GARDEN'S
ROAD, THALASSERY -670102.**
- 5. DIRECTOR GENERAL OF POLICE, TRIVANDRUM,KERALA - 695010 [OWNER OF THE
JEEP, KL 01 / AQ/ 7154]**
- 6. SAJESH KUMAR P. S/O GOPALAN NAIR, PUTHUKKAD HOUSE, KAKKUR P.O,
KOZHIKKODE-673613 (DRIVER OF THE JEEP. KL 01/ AQ/7154)**
- 7. TRANSPORT COMMISSIONER, MOTOR VEHICLES DEPARTMENT, 2ND FLOOR, TRANS
TOWER, CV RAMAN PILLAI ROAD, DPI, VAZHUTHACAUD, THIRUVANAMTHAPURAM,
KERALA-695014 [ADDL. R7 IS SUO MOTU IMPEDED AS PER ORDER DATED
27-10-2023]**

**BY ADVOCATES FOR R6.M/S SRINATH GIRISH & P.JERIL BABU FOR R1,
M/S.M.K.SUMOD, ABDUL RA00F PALLIPATH & VIDYA M.K. FOR R2 & R3,
SRI.NIRMAL.S FOR R6**

**This Motor accidents claims appeal again coming up for orders on
30.10.2025 upon perusing the appeal memorandum and this court's order
dated 25.09.2025, the Court on the same day passed the following:**

P.T.0

DEVAN RAMACHANDRAN, J.

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Dated this the 30th day of October, 2025

ORDER

Read order dated 25.09.2025.

2. Sri.Nagaraju C., Transport Commissioner; Sri.K.Biju, Secretary, Public Works Department (PWD); and Sri.Kaliraj Mahesh Kumar S., Inspector General of Traffic, appeared online, and I had an interaction with them.

3. Sri.K.V.Manoj Kumar - learned Senior Government Pleader, has filed certain Memos on record, accompanied by Action Taken Reports and studies conducted by the various Agencies; and this Court has no reason to disbelieve any of them.

4. However, I must record that this Court has told the Officers that what it requires is not mere reports and words, but actual actions to make our public spaces pedestrian safe and

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pedestrian worthy. It is rather anachronistic that this Court, should devote time to make sure that the pedestrian crossings (zebra crossings) are properly and scientifically marked and enforced; but this is the bane that we now see.

5. Apart from the fact that many of the "Zebra Crossings" are marked unscientifically and without continuity, to take the pedestrians from one side to the other safely, it is also rather ubiquitous that the traffic does not even consider such crossings and blatantly parks on top of them, thus rendering their very purpose otiose.

6. This Court has been speaking about the necessity to change the traffic culture in our State, but the results have been rather lacklustre. It would be unbelievable that, in a civilized culture, vehicles would stop on top of the "Zebra Crossings" without care for the pedestrians and oblivious to the fact

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that, on them, the pedestrians obtain the right of first user. There have even been instances of accidents happening on the "Zebra Crossings", involving pedestrians; and this exacerbates the situation.

7. This is what concerns this Court! It is not blame game or recrimination which is necessary, but ensuring that the Officers act within their respective jurisdictions, to make sure that our cities and public spaces are worthy of pedestrian traffic and safe for them.

8. The afore Officers have informed this Court that necessary studies and steps have already been initiated; and made an assurance that it will be translated into action without any delay.

9. Of course, this is the way forward, and we have to make sure that actions are put in place quickly because, chances of accidents

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are real and on a regular basis.

10. Adverting to the request of Sri.K.V.Manoj Kumar for further time, and to verify whether the reports placed on record would transmute into actions, I adjourn this matter to be called on 20.11.2025.

I request the Officers present online today, to be present on the next posting date also for interaction.



Sd/-

DEVAN RAMACHANDRAN
JUDGE

akv
H/o