

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

Thursday, the 25th day of September 2025 / 3rd Aswina, 1947

MACA NO. 352 OF 2022(F)

OP(MV) NO.1236/2015 OF ADDL 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 SENIOR GOVERNMENT PLEADER SRI.K.V.MANOJ KUMAR

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., KOZHIKODE, PIN - 673631
3. RENIL ASHLIN M.J, S/O.JOY WILSON, GLENDALE, CHERUVANNUR, FEROKE
P.O., KOZHIKODE - 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
(PO), KOZHIKODE-673613(DRIVER OF THE JEEP. KL 01/ AQ/7154), PIN -
673613
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 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 having come up for orders on
25.09.2025, the Court on the same day passed the following:**

P.T.0

DEVAN RAMACHANDRAN, J.

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MACA No.352 of 2022

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Dated this the 25th day of September, 2025

ORDER

This Court can only speak in exasperation when, in spite of several orders issued and assurances given by the Authorities, accidents involving pedestrians happen even on the "Zebra Crossings".

2. This Court is informed reliably that there had been an accident today or yesterday at Calicut, where pedestrian/s were injured or even killed, while crossing the road on the marked "Zebra Crossing".

3. This is a stark reminder of how casually our society views driving culture. Every vehicle, whatever its size, if used carelessly and dangerously, can be a sure killer; and this is why there are strict Rules and Regulations governing its use.

4. This Court had been assured earlier by the Inspector General of Police - Traffic and the

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Secretary, Public Works Department (PWD), as also the Transport Commissioner; and reports have also been placed on record by the learned Senior Government Pleader - Sri.K.V.Manoj Kumar. But, in spite of this, even in the major roads of a city like Kochi, "Zebra Crossings" are either not available or are maintained in an unscientific manner - which itself is a cause of accidents.

5. For some reason, "Zebra Crossings" are often disregarded, and most of the time vehicles are on them, obstructing the pedestrians from crossing; and when the traffic moves as permitted by the traffic lights or by the Police Personnel on duty, pedestrians are not stopped from crossing through traffic lights, causing havoc for them, as also for the drivers.

6. Needless to say, most of the roads

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in Kerala are pushed to their limits because of the density of vehicles and the number of pedestrians; and it is a shame that the situation continues without any change, in spite of repeated accidents involving even loss of lives.

7. Sri.K.V.Manoj Kumar - learned Senior Government Pleader, submitted that the Authorities are alive to the situation, but mere words won't do, unless they translate into real action.

8. Lives of the citizens cannot be imperilled like this, and one fails to understand why the Authorities do not see the great danger lurking every second, for every road user. It is the power of providence alone which controls the number of accidents, especially those involving the pedestrians, depending on the manner in which they and the vehicle users

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behave.

9. A new culture is possible not by mere preaching, but by definitive action, taken and executed by the competent Authorities. We have several officers of various ranks and designations, but if accidents like the one stated to have happened in Calicut continue, then one cannot discern any purpose in all these systems.

10. I, therefore, direct the Inspector General, Traffic, the Transport Commissioner and the Secretary, PWD, to give their best personal attention to these issues; making every major junction/traffic intersection in the cities at the first instance and ensuring that the "Zebra Crossings" are scientifically drawn and managed, with traffic lights not only for the vehicle

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users but also for the pedestrians.

Since the aspects that this Court is considering involve the lives of ordinary citizens, I hope that the paucity of funds will not be cited as a reason not to do what is imperative; and adjourn this matter to be called on 23.10.2025, for the report of the first action taken. On that day, this Court requests the personal attendance of the aforementioned three Officers for interaction; which I clarify will only be online and not physical to suit their convenience.

Sd/-

DEVAN RAMACHANDRAN

JUDGE

akv
H/o