

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

Wednesday, the 19th day of November 2025 / 28th Karthika, 1947
RP NO. 1394 OF 2025

**WP(C) 22750/2018 OF HIGH COURT OF KERALA, ERNAKULAM
REVIEW PETITIONER/3RD PARTY:**

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

RESPONDENTS/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, ALAPPUZHA, 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 IV TH 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, TRANSPORT COMMISSIONERATE, 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 non-compliance 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 31-07-2025 in IA 1/2025 in wp(c)22750/2018 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) & SHRI.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,M/s.BINDUMOL JOSEPH, B.S.Sand of SRI.HARISH VASUDEVAN, AMICUS CURIAE, the court passed the following:

DEVAN RAMACHANDRAN, J.

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

Dated this the 19th day of November, 2025

O R D E R

Through this petition, the petitioner seeks, *inter alia*, that the District Collector, or such other competent Authority, be directed to take action against Secretaries of the Local Self Government Institutions, who fail to implement the orders of this Court in the judgment dated 13.03.2025, since they have already been held responsible personally.

2. Smt.Amrutha – learned counsel for the petitioner, alleged that, though this Court has issued specific directions to the Secretaries of the Local Self Government Institutions, action is very lax because, they feel no action would come against them. She insisted that, unless appropriate mechanisms are created to hold them personally responsible for refusal to remove the unauthorised installations, and to collect fines on them, things will not change.

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3. There is *prima facie* force in the afore submissions of Smt.Amrutha; and it is affirmed by Sri.Harish Vasudevan – learned Amicus Curiae, that many handrails, pedestrian paths and such other all over the State are still under the scorch of banners/boards/flags/festoons of political parties and other entities.

4. I propose to be brief today because, should this Court find in favour with the contentions of the petitioner in this Review Petition, then certainly, action for recovery of fines etc. against the Secretaries of the Local Self Government Institutions and the Authorities concerned may become necessary to be ordered.

5. However, before I consider as afore and since this Court has delivered judgment under the bonafide impression that the Secretaries of the Local Self Government Institutions will act, I propose to give them one more opportunity.

6. That said, Sri.Deepulal Mohan – learned counsel for the State Election Commission, submitted that the processes of

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elections to the Local Self Government Institutions in Kerala has begun; and affirmed that the directions of this Court are being scrupulously complied with by the Commission. He assured that it will be made sure that any unauthorised installation like flags/boards/banners/festoons, in violation of the judgment, will be dealt with and necessary action taken. He added that the District Election Officers will send out necessary instructions in this regard to the Secretaries of the Local Self Government Institutions within two days from now, since the orders of this Court have been already incorporated in the Model Code of Conduct. This is recorded.

7. Sri.T.S.Shyam Prasanth – learned Senior Government Pleader, submitted that the Government has issued instructions to all Authorities to comply with the directions of this Court; and that it will facilitate all necessary requisites for it. He reiterated that the Government maintains that the Secretaries of the Local Self Government Institutions are bound to act as per the directions in the judgment of this Court.

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In the afore circumstances, I issue the following orders:

a) This Court grants two weeks time to the Secretaries of all Local Self Government Institutions to ensure that every unauthorised board/banner/flag/festoon and such other – as detailed in the judgment – are removed and necessary action initiated and completed against each of them.

b) I notify the Secretaries of the Local Self Government Institutions that every installation, including flags/banners/boards/festoons etc., remaining after the afore deadline, will be, as ordered in the judgment, their personal responsibility.

c) I record the submissions of the learned Senior Government Pleader that the above directions will be notified to the Secretaries of all Local Self Government Institutions by E-mail within two days from now by the competent Secretary/official of the Government.

d) I direct the State Election Commission and each District Election Officer to scrupulously monitor the areas within

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their command and take necessary action against any unauthorised installation, including banner/boards/flags/festoons etc. A report in this regard shall be filed before this Court after the process is complete.

Needless to say, the question of recovering fines from the Secretaries of the Local Self Government Institutions, being an issue involved in this Review Petition, will be considered by this Court only after the afore deadline is over.

Post on 03.12.2025.

H/o



Sd/-

DEVAN RAMACHANDRAN,

RR

JUDGE