

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**  
**PRESENT**  
**THE HONOURABLE THE CHIEF JUSTICE MR. NITIN JAMDAR**  
**&**  
**THE HONOURABLE MR. JUSTICE SYAM KUMAR V.M.**

Wednesday, the 26<sup>th</sup> day of November 2025 / 5th Agrahayana, 1947  
**WP(C) NO. 4269 OF 2025(S)**

**PETITIONER:**

**ADVAIDH. M, AGED 19 YEARS, SON OF VINESH KUMAR.M,**  
**THOZHLOOR HOUSE, KOTTAPPADI P.O, THRISSUR, PIN - 680 505.**

**RESPONDENTS:**

1. STATE OF KERALA, REPRESENTED BY THE CHIEF SECRETARY TO THE GOVERNMENT OF KERALA, STATE SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695 001.
2. PRINCIPAL SECRETARY TO THE GOVERNMENT OF KERALA, DEPARTMENT OF HEALTH AND FAMILY WELFARE, SECRETARIAT, ANNEX 2, THIRUVANANTHAPURAM, PIN - 695 001.
3. THE APPROPRIATE AUTHORITY, DIRECTOR OF MEDICAL EDUCATION, KERALA, MEDICAL COLLEGE P.O., THIRUVANANTHAPURAM, PIN - 695 011.
4. K-SOTTO(KERALA STATE ORGAN AND TISSUE TRANSPLANT ORGANISATION), REPRESENTED BY ITS ADMINISTRATOR, 1ST FLOOR, OLD HOUSE SURGEON QUARTERS, NEAR SUPER SPECIALTY BLOCK, GOVT. MEDICAL COLLEGE, THIRUVANANTHAPURAM, PIN - 695 011.
5. THE STATE POLICE CHIEF, POLICE HEAD QUARTERS, VAZHUTHACADU, THIRUVANANTHAPURAM, KERALA, PIN - 695 014.

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 direct the official respondents to immediately act in compliance with the directions of this honourable court issued in WP(C) 33801 of 2017, particularly to make press releases in print and electronic media seeking willing altruistic donors among the community for and on behalf of all patients who is unable to undergo organ transplant surgery owing to unavailability of matching donor. The press release may include information such as patient's blood group, name of intended transplant hospital, compensation for prospective donor towards the loss of income, organ utilization fee, financial support in case of complications and all other required information, pending disposal of this writ petition.

**P.T.O.**

**This petition again coming on for admission upon perusing the petition and the affidavit filed in support of WP(C), this Court's order dated 05/11/2025 and upon hearing the arguments of SRI.THOMAS VARGHESE, Advocate for the petitioner, SRI. K.V.MANOJ KUMAR, SPECIAL SENIOR GOVERNMENT PLEADER, for R1 to R3 and R5 and of M/S. AJIT JOY & ASHA TREESA JOSE, Advocates for R4, the court passed the following:**

**P.T.O.**



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Nitin Jamdar, C.J. & Syam Kumar V.M., J.

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Dated this the 26<sup>th</sup> day of November, 2025

**ORDER**

Heard Mr. Thomas Varghese, learned counsel for the Petitioner, Mr. K.V. Manoj Kumar, learned Special Government Pleader and Mr. Ajit Joy, learned counsel for Respondent No. 4.

2. The learned Special Government Pleader, by way of a memo, has pointed out to us that the Advisory Committee held a meeting on 19 November 2025 and arrived at the following decisions:

- “1. The Committee unanimously decided to recommend that the publication of press releases by Kerala State Organ and Tissue Transplant Organization, transplant centres, or individuals seeking altruistic organ donors should not be permitted, as it is contrary to the spirit of the Transplantation of Human Organs and Tissues Act, unethical and likely to create adverse repercussions in the society.*
- 2. Kerala State Organ and Tissue Transplant Organization may proceed with developing an online platform for individuals to express their willingness to donate organs for altruistic reasons. As far as possible, the identity of altruistic donors must be anonymized. Kerala State Organ and Tissue Transplant Organization should develop a foolproof mechanism to assess the medical, physical and psychological fitness of prospective donors before they are considered for organ donation.*

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3. *The Committee noted that as per the orders of the Hon'ble High Court of New Delhi, duly endorsed by National Organ and Tissue Transplant Organization (NOTTO), timelines for processing applications for living organ transplantation have been made applicable in Kerala as well. The proceedings of the District Level Authorization Committee (DLAC) shall be transitioned to an online platform to enable digital processing of applications and to reduce processing time. This would also allow District Level Authorization Committees to promptly consider urgent and time-bound cases.*
4. *The issue raised by the petitioner regarding the requirement to submit multiple certificates before the District Level Authorization Committee and the difficulty in obtaining similar certificates from various Government and quasi-Government offices, must be addressed. A new guideline may be issued to minimize and streamline the certificate requirements."*

The learned Special Government Pleader states that the Committee has sought 15 days' time to finalise the report.

3. Post on 12 December 2025. In the meantime, the final report be placed on record.

Sd/-  
Nitin Jamdar  
Chief Justice

Sd/-  
Syam Kumar V.M.  
Judge

vpv