

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 27th day of January 2026 / 7th Magha, 1947
WP(C) NO. 29179 OF 2025(U)

PETITIONER:

SUO MOTU PROCEEDINGS INITIATED BY THE HIGH COURT OF KERALA MARINE
DRIVE ERNAKULAM, PIN - 682031

RESPONDENTS:

1. STATE OF KERALA REPRESENTED BY ITS CHIEF SECRETARY GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695001
2. THE ADDITIONAL CHIEF SECRETARY HOME(C) DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695001
3. UNION OF INDIA REPRESENTED BY THE SECRETARY TO GOVERNMENT MINISTRY OF FINANCE, DEPARTMENT OF REVENUE, NORTH BLOCK, NEW DELHI, PIN - 110001

This Suo Motu Writ petition (Civil) having come up for orders on 27.01.2026 upon perusing this court's orders dated 06.01.2026 and upon hearing the arguments SRI. V. TEKCHAND, SENIOR GOVERNMENT PLEADER (B/O), MR. LEO LUKOSE for HIGH COURT ADMINISTRATION (B/O), SRI. N. MANOJ KUMAR, STATE ATTORNEY AND PUBLIC PROSECUTOR for R1 and R2, MR. HARI KUMAR G., AMICUS CURIAE (B/O), and MR. T.V. VINU, THE CENTRAL GOVERNMENT COUNSEL representing Ms. O.M. SHALINA, the DEPUTY SOLICITOR GENERAL OF INDIA for R3 (B/O), the court passed the following:

SOUMEN SEN, C. J. & C. JAYACHANDRAN, J.

W. P. (C) No. 29179 of 2025

Dated this the 27th day of January, 2026

ORDER

Soumen Sen, C. J.

Heard Mr. Leo Lukose, learned counsel for the High Court Administration, Mr. N. Manoj Kumar, learned State Attorney, Mr. T. V. Vinu, learned Central Government Counsel representing Ms. O. M. Shalina, learned Deputy Solicitor General of India, and Mr. Hari Kumar G., learned *Amicus Curiae*.

2. We are not satisfied with the explanation offered by the 2nd respondent with regard to the compliance of the earlier directions of this Court, as also the implementation of the judgment of the Hon'ble Supreme Court in **Thana Singh v. Central Bureau of Narcotics**¹. Even if we accept the submission made on behalf of the State that the object of the said judgment is to strengthen exclusive NDPS courts in districts with high pendency by ensuring appropriate allocation of cases, the decision of the Government could not have been restricted to additional courts in two districts. We

¹ (2013) 2 SCC 590

find that there is an immediate necessity for the establishment of separate and exclusive NDPS courts in the districts of Thrissur, Palakkad, and Manjeri.

3. We direct the State to take immediate steps for the creation of exclusive NDPS courts with full infrastructure in respect of the additional two courts at Thiruvananthapuram and Ernakulam, as proposed by the State, as well as for the three more districts as indicated in this order. The Government shall file a compliance report within eight weeks from today.

4. Post on 24.03.2026.

5. A comprehensive affidavit shall be filed detailing the steps taken in this regard. The two additional NDPS courts, for which the Government has already taken a decision, shall be made fully operational on or before the adjourned date.

Sd/-
SOUMEN SEN
CHIEF JUSTICE

Sd/-
C. JAYACHANDRAN
JUDGE

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