

**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.**

**Monday, the 5th day of January 2026 / 15th Pousha, 1947
WP(C) NO. 36780 OF 2017(S)**

**SUO MOTU PROCEEDINGS INITIATED AS PER THE
DIRECTION OF THE HONOURABLE SUPREME COURT OF INDIA
VIDE ITS JUDGMENT DATED 15/9/2017 IN WPC 406/2013
TITLED AS "RE-INHUMAN CONDITIONS IN 1382 PRISONS".**

RESPONDENTS:

- 1. THE STATE OF KERALA, REP. BY THE CHIEF SECRETARY TO GOVERNMENT, THIRUVANANTHAPURAM - 695 001.**
 - 2. THE STATE OF KERALA, REPRESENTED BY ITS ADDITIONAL CHIEF SECRETARY, HOME DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM - 695 001.**
 - 3. THE STATE OF KERALA, REP. BY ITS SPECIAL SECRETARY, DEPARTMENT OF SOCIAL JUSTICE, SECRETARIAT, THIRUVANANTHAPURAM - 695 001.**
 - 4. THE DGP AND STATE POLICE CHIEF, STATE POLICE HEADQUARTERS, VELLAYAMBALAM, THIRUVANANTHAPURAM - 695 010.**
 - 5. DIRECTOR GENERAL OF PRISONS AND CORRECTIONAL SERVICES, PRISONS HEADQUARTERS, POOJAPPURA, THIRUVANANTHAPURAM - 695 012.**
 - 6. THE DIRECTOR, SOCIAL JUSTICE DEPARTMENT, VIKAS BHAVAN, THIRUVANANTHAPURAM - 695 033.**
- ADDITIONAL R7 IMPEADED**
- 7. SANDHYA. J, D/O SIVAKAMI AMMA, AGED 46 YEARS, P-14, PALAYAM POLICE QUARTERS, VIKAS BHAVAN PO, THIRUVANANTHAPURAM.
ADDL.R7 IMPEADED AS PER ORDER DATED 20/03/2018 IN IA 3974/2018 IN WP(C) 36780/2014.**

ADDITIONAL R8 & R9 IMPEADED

- 8. THE KERALA STATE LEGAL SERVICES AUTHORITY,
NIYAMA SAHAYA BHAVAN, HIGH COURT ROAD COMPOUND,
KOCHI – 682 031.**
- 9. THE NATIONAL HUMAN RIGHTS COMMISSION,
GPO COMPLEX, MANAV ADHIKAR BHAWAN, C-BLOCK,
INA, NEW DELHI – 110 023.
ADDL.R8 & R9 ARE IMPEADED AS PER ORDER DATED 27/11/2024
IN WP(C) 36780/2017**

P.T.O.

ADDITIONAL R10 IMPEADED

**10. THE NATIONAL INFORMATICS CENTRE, REPRESENTED BY ITS
DIRECTOR GENERAL, A-BLOCK, CGO COMPLEX, LODHI ROAD,
NEW DELHI - 110 003.**

**ADDL.R10 IS IMPEADED AS PER ORDER DATED 28/10/2025 IN
WP(C) 36780/2017.**

This Suo motu writ petition coming again on for orders upon perusing the petition, this Court's order dated 21/11/2025 and upon hearing the arguments of SRI.T.A.SHAJI, DIRECTOR GENERAL OF PROSECUTION & SRI.P.NARAYANAN, SENIOR GOVERNMENT PLEADER for R1 to R6, M/S. NARAYANAN E, PREETHA K.K, SMRUTHI SASIDHARAN & ATHIRA LAKSHMI, Advocates for R7, M/S. ASHOK SHENOY B, P.S.GIREESH, ARJUN R NAIK, UMASANKER U.U & ADITYA A. SHENOY, Advocates for R8, SRI.K.RAMAKUMAR, SENIOR ADVOCATE a/w M/S. RAMPRASAD UNNI T., S.M.PRASANTH & SHEHIN S., Advocates for R9, SRI.S.BIJU, SENIOR PANEL COUNSEL for Addl.R10 and of SRI. SANTHOSH MATHEW (SENIOR ADVOCATE), AMICUS CURIAE & ADVOCATE MS. APARNA S., the court passed the following:



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

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W.P.(C)No. 36780 of 2017

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Dated this the 5th day of January, 2026

ORDER

Heard Mr. P. Narayanan, learned Senior Government Pleader, Mr. P.S. Gireesh, learned counsel for Respondent No. 8 and Ms. Aparna S., learned counsel representing Mr. Santhosh Mathew, learned *Amicus Curiae*.

2. On 21 November 2025, upon noting the affidavit filed by the Additional Chief Secretary, Home Department, the matter was adjourned till today, since two timelines were provided i.e., for completion of data entry in the e-prison software, and finalisation of Standard Operating Procedure (SOP) within two months.

3. A draft SOP for the collection, verification and updation of nominees/legal heirs of prisoners has now been placed before us. It is informed that the SOP would be finalised after the remarks from the State Police Chief, Social Justice Department, Land Revenue Commissioner and Director General of Prisons are received. As regards data entry, the status as on 20 December 2025 is as under:

- Total prisoners (unlocked) as on 21.12.2025 : 9,611
- Data entry completed in e-Prisons as on 20.12.2025 : 9,113

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- Total foreign prisoners as on 20.12.2025 : 171
- Mentally ill prisoners / prisoners without nominees : 149
- New admissions / transitions as on 20.12.2025 : 178
- Legal heir / inheritance certificate details updated : 34

4. Considering that the draft SOP has been pending for sometime, the stakeholders to whom requests have been made for furnishing inputs will do so at the earliest, so that the SOP can be finalised. Let a communication be issued by the Additional Chief Secretary to the stakeholders accordingly. A copy of the draft SOP will also be provided to the learned counsel appearing for the Respondents and to the learned *Amicus Curiae* for their suggestions.

5. Post on 19 January 2026.

Sd/-

Nitin Jamdar
Chief Justice

Sd/-

Syam Kumar V.M.
Judge

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