

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE THE CHIEF JUSTICE MR. NITIN JAMDAR
&
THE HONOURABLE MR.JUSTICE BASANT BALAJI

Tuesday, the 7th day of October 2025 / 15th Aswina, 1947
WP(PIL) NO. 74 OF 2025(S)

PETITIONERS:

1. G.SAMUEL, AGED 60 YEARS, S/O. G. GEORGE, VALIYAPARAMBIL, VETTIYAR, MANGANKUZH, MAVELIKKARA, ALAPPUZHA DISTRICT, PIN - 690 558.
2. ANTONY ALEX, AGED 54 YEARS, S/O. M.T.ANTONY, MANIMURIMATTATHIL, KOTTAMURI PO, KOTTAYAM, PIN - 686 105.
3. CHACKO P.J, AGED 63 YEARS, S/O. JOSEPH, VARAPUTHRA HOUSE, KOTTAMURI PO, THRIKKADITHANAM KOTTAYAM, PIN - 686 105.

RESPONDENTS:

1. STATE OF KERALA (*DELETED), REPRESENTED BY GOVERNMENT PLEADER, HIGH COURT OF KERALA, PIN - 682 031. *R1 IS DELETED AS PER ORDER DATED 23/07/2025 IN IA 2/2025 IN WP(PIL) 74/2025.
2. ADDITIONAL CHIEF SECRETARY, GOVERNMENT OF KERALA, HEALTH AND FAMILY WELFARE, DIRECTOR OF HEALTH SERVICES, SECRETARIAT, TRIVANDRUM, PIN - 695 001.
3. MEDICAL SUPERINTENDANT, MEDICAL COLLEGE HOSPITAL, KOTTAYAM, PIN - 686 008.
4. PRESIDENT, KERALA GOVERNMENT MEDICAL OFFICERS ASSOCIATION, KGMOA HEAD QUARTERS, RED CROSS ROAD, THIRUVANANTHAPURAM, PIN - 695 035.
ADDITIONAL R5 IMPEADED
5. KERALA STATE COUNCIL FOR CLINICAL ESTABLISHMENT, REPRESENTED BY SECRETARY OF THE HEALTH AND FAMILY WELFARE DEPARTMENT, SECRETARIAT, TRIVANDRUM - 695 001.
ADDL.R5 IS IMPEADED AS PER ORDER DATED 23/07/2025 IN IA 1/2025 IN WP(PIL) 74/2025.

ADDITIONAL R6 IMPEADED

6. THE KERALA STATE LEGAL SERVICES AUTHORITY,
HIGH COURT COMPOUND, ERNAKULAM, KERALA, PIN - 682 031
ADDL.R6 IS IMPEADED AS PER ORDER DATED 08/08/2025
IN WP(PIL) 74/2025.

P.T.O.

Writ petition (Public Interest Litigation) praying inter alia that in the circumstances stated in the affidavit filed along with the WP(PIL) the High Court be pleased to direct the 2nd respondent for effective administration of infrastructure, equipments related to the surgery, hygienic situation of the all medical colleges and other said hospitals belong to the government, till the disposal of the writ petition.

This petition coming again on for admission upon perusing the petition and the affidavit filed in support of WP(PIL), this Court's order dated 26/08/2025 and upon hearing the arguments of M/S. ALEX K.JOHN, SATHEESH T.P., JILCY JACOB, SIJIN STANLEY, CYRIAC ELIAS STEEN, SREEKUTTAN M., NINAN THOMAS, GEGO GEORGE & PRATHITHA MARIYAM THOMAS, Advocates for the petitioners, SRI.N.MANOJ KUMAR, STATE ATTORNEY for R1 to R3, SRI. LEO LUKOSE, Advocate for R6 and of SRI. RANJITH THAMPAN (Senior Advocate), Amicus curiae along with MS. MAYA P, Advocate, the court passed the following:



P.T.O.

Nitin Jamdar, C.J. & Basant Balaji, J.

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Dated this the 07th day of October, 2025

ORDER

Heard Mr.Alex K. John, learned counsel for the Petitioners, Mr.N. Manoj Kumar, learned State Attorney appearing for Respondent Nos.1 to 3, Mr.Leo Lukose, learned counsel for Respondent No.6 – the Kerala State Legal Services Authority (KeLSA) and Ms. Maya P., learned counsel representing Mr.Renjith Thamban, learned *Amicus Curiae*.

2. The learned counsel for Respondent No.6 submits that inspection is over and reports have been submitted by all the District Legal Services Authorities except one, and he seeks time. A compilation of reports be furnished to the grievance redressal committee and a copy be placed before this Court.

3. The learned State Attorney informs that an online portal, including a dedicated e-mail address, has already been set up. The learned State Attorney has drawn our attention to the additional affidavit filed by the Secretary, the Kerala State Council for Clinical Establishments, wherein the steps taken pursuant to the directions of this Court are enumerated as under:

“3. Pursuant to the said directions, the Council has undertaken and implemented the following measures, the details of which are furnished below:

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(a) Grievance Redressal Mechanism

As mandated under Section 36(1) of the Act and Rule 30(1) of the Kerala Clinical Establishments (Registration and Regulation) Rules, the Council has constituted a Grievance Redressal Committee with the permission of Government vide G.O.(Rt) No. 2425/2025/H&FWD dated 19.08.2025.

For effective receipt and processing of complaints from the public, a dedicated email ID — ksccegrievance@gmail.com - has been created. An online portal facility for lodging complaints is also functional and accessible

at https://portal.clinicalestablishments.kerala.gov.in/Grievance/lodge_grievance. Details of the redressal mechanism have been published on the official website of the Council for public awareness.

(b) Coordination with KeLSA

In compliance with the directions issued by this Hon'ble Court, necessary instructions were issued to all District Registering Authorities vide letter No. 317/Accts/KSCCE/2025 dated 16.09.2025 to ensure proper coordination with the Kerala State Legal Services Authority (KeLSA) during their visits to Government Hospitals.

(c) IEC Activities

A proposal for Information, Education and Communication (IEC) activities through social media and other platforms to enhance public awareness regarding the Act has been submitted to Government vide letter No. 280/ADMN/KSCCE/2021 dated 20.04.2023, which is under the active consideration of Government.

(d) Framing of Rules under Section 4(1) (e)

The Council has already submitted its

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recommendations to Government for formulating Rules under Section 4(1)(e) of the Act vide letter No. 317/Accts/KSCCE/2025 dated 16.08.2025. The matter is presently under active consideration of Government.

(e) Intimation to KeLSA

All the above steps taken in compliance with the Hon'ble Court's directions have been duly intimated to the Kerala State Legal Services Authority for their information and follow-up action."

5. To enable the Kerala State Legal Services Authority to submit the report, post on 21 October 2025.



Sd/-

Nitin Jamdar
Chief Justice

Sd/-

Basant Balaji
Judge

ds 07.10.2025