

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

Wednesday, the 6th day of August 2025 / 15th Sravana, 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) and this Court's order dated 28/07/2025 and upon hearing the arguments of SRI.THOMAS VARGHESE, Advocate for the petitioner, SRI.K.V.MANOJKUMAR, SPECIAL GOVERNMENT PLEADER, for R1 to R3 and R5 and of M/S AJIT JOY and ASHA TREESA JOSE, Advocates for R4, the court passed the following:

P.T.O.



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

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Dated this the 6th day of August, 2025

ORDER

Heard Mr. Thomas Varghese, learned counsel for the Petitioner, Mr. Ajit Joy, learned counsel for Respondent No. 4 and Mr. K.V. Manojkumar, learned Senior Government Pleader for the State.

2. The learned Senior Government Pleader has drawn our attention to the counter affidavit filed and the Government Order dated 28 August 2024 constituting an Advisory Committee. The learned counsel for the Petitioner points out that the duration of the Advisory Committee is two years and according to his knowledge, there is no progress by the Advisory Committee for last one year since its inception.

3. The learned Senior Government Pleader seeks time to file an additional affidavit as to the steps taken by this Advisory Committee post its inception, meetings held and whether any preliminary/draft regulations have been formulated or whether any suggestions have been given to the State Government by this Committee. This is to ensure that the Advisory Committee is in process of formulating final suggestions so that the Petitioner's suggestions can be referred to this Committee.

4. Post on 21 August 2025.

Sd/-

Nitin Jamdar
Chief Justice

Sd/-

Basant Balaji
Judge

vpv

06-08-2025

/True Copy/

Assistant Registrar