

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SOPHY THOMAS

Monday, the 6th day of December 2021 / 15th Agrahayana, 1943

WA NO. 6 OF 2021

AGAINST ORDER DATED 08.12.2020 IN CON.CASE (C) 2615/2019 IN WP(C) NO.25089/2019
OF THIS COURT.

APPELLANT/CONTEMNOR/RESPONDENT IN CC(C):

S.SUHAS, DISTRICT COLLECTOR, COLLECTORATE,

ERNAKULAM- 682 030.

BY ASSISTANT SOLICITOR GENERAL SRI.S.MANU, CENTRAL GOVERNMENT COUNSEL
SRI.SUVIN R.MENON AND STATE ATTORNEY

RESPONDENT/PETITIONER IN CC(C):

FR. THOMAS PAUL RAMBAN, S/O. LATE PAULSOE, MARACHERIL HOUSE,

KUTHUKUZH KARA, KOTHAMANGALAM VILLAGE,

KOTHAMANGALAM TALUK, PIN- 686 691.

BY SENIOR ADVOCATE SRI.T.KRISHNANUNNI,

SENIOR ADVOCATE SRI.S.SREEKUMAR AND

ADVS.M/S.ROSHEN D.ALEXANDER,V.B.UNNIRAJ & ALAN PAPALI FOR R1.

This Writ Appeal having come up for orders along with connected cases on 06/12/2021, upon perusing the appeal memorandum, the Court on the same day passed the following:

P.T.O.

A.MUHAMED MUSTAQUE & SOPHY THOMAS, JJ.

Writ Appeal Nos.6, 1455, 1484 & 1485 of 2021

Dated this the 6th day of December, 2021

ORDER

A.Muhamed Mustaque, J

This Court on the last occasion had orally instructed learned State Attorney to ascertain whether the Government acting upon the recommendation placed by the Law Reforms Commission headed by the Retd. Justice K.T. Thomas (as it had appeared in the newspapers) is proposing to make any legislation in regard to the management and administration of the Churches over which there exist disputes.

The learned State Attorney seeks further time. We want to see that a concrete decision of the Government is placed before us by next posting. It is to be noted that the issue pertains to law and order and the rights asserted by the writ petitioners are based on the judgment of the Apex Court. The Court will have to adopt a very balanced approach to ensure that the law and order is maintained by implementing the directions of the Apex Court. The legislature has plenary power to legislate on any subject it is

competent. We only, at this juncture, want to know whether any such proposal is being formulated or propounded by the Government or not. The Chief Secretary shall file an affidavit in this regard by the next posting.

Post on 21.12.2021.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

Sd/-

SOPHY THOMAS, JUDGE

PR

