

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 16th day of September 2025 / 25th Bhadra, 1947
WP(PIL) NO. 113 OF 2025(S)

PETITIONERS:

1. G.SAMUEL, AGED 60 YEARS, S/O. G. GEORGE, VALIYAPARAMBIL, VETTIYAR, MANGANKUZH, MAVELIKKARA, ALAPPUZHA DISTRICT, PIN - 690 558.
2. CHACKO P.J, AGED 63 YEARS, S/O. JOSEPH, VARAPUTHRA HOUSE, KOTTAMURI PO, THRIKKADITHANAM KOTTAYAM, PIN - 686 105.
3. ZACHARIAH GEORGE, AGED 64 YEARS, S/O. LATE K.G. GEORGE, DEEPAK BHAVAN, KOLLAD PO, KOTTAYAM DISTRICT, PIN - 686 004.
4. SUJITH V S, AGED 29 YEARS, S/O SURESH, VALIYAPARAMBIL HOUSE, KANIPPAYYUR PO, KUNNAMKULAM , PIN THRISSUR DIST, PIN - 680 517.

RESPONDENTS:

1. CHIEF SECRETARY, GOVERNMENT OF KERALA, SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695 001.
2. ADDITIONAL CHIEF SECRETARY, HOME DEPARTMENT, GOVERNMENT OF KERALA, SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695 001.
3. SECRETARY TO LAW DEPARTMENT, GOVERNMENT OF KERALA, SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695 001.
4. SECRETARY, KERALA STATE HUMAN RIGHTS COMMISSION, PMG JUNCTION, THIRUVANANTHAPURAM, PIN - 695 033.

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 respondents for effective administration related to the work of the Human Rights Commission and Human Rights Court till the disposal of the Public Interest Litigation.

This petition coming on for admission upon perusing the petition and the affidavit filed in support of WP(PIL) and upon hearing the arguments of M/S. ALEX K.JOHN, ABHISHEK T.M., FIDA HUSNA P.P., SATHEESH T.P., CYRIAC ELIAS STEEN, SREEKUTTAN M., SURESH P.N., ARUN K.V., JILCY JACOB, NINAN THOMAS, GEGO GEORGE, PRATHITHA MARIYAM THOMAS & SIJIN STANLEY, Advocates for the petitioners, SRI. N.MANOJ KUMAR, STATE ATTORNEY for the respondents, the court passed the following:

NITIN JAMDAR, C.J.

&

BASANT BALAJI, J.

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Dated this the 16th day of September 2025

ORDER

Heard Mr. Alex K. John, learned counsel appearing for the Petitioners and Mr. N. Manoj Kumar, learned State Attorney.

2. This petition is filed for the following three prayers:

“(i) to issue guidelines for the proper functioning of the Human Rights Courts as contemplated in section 30 of Protection of Human Rights Act.

(ii) to issue writ of mandamus to the Law Secretary for implementing the rules and procedures for the effective administration of the Human Rights Court as contemplated section 30 of the Protection of Human Rigs Act.

(iii) to issue proper guidelines to the Human Rights Commission Secretary for proper functioning of the Human Rights Commission.”

3. As regards the first two prayers, the learned State Attorney seeks time to file a statement as it is his contention that the Human Rights Courts have been duly notified in the State.

4. As regards prayer clause 3, which concerns the functioning of the Human Rights Commission, learned counsel for the Petitioners states that Petitioner No.4’s complaint regarding custodial torture is not

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being properly considered. To a query as to whether this Petitioner has approached the Human Rights Commission in that regard, the answer is in the negative. Without Petitioner No.4 approaching the Human Rights Commission, it cannot be presumed that the State Human Rights Commission will not consider the complaint. If the Petitioner approaches the State Human Rights Commission, we have no doubt that the Commission will look into the issue with all seriousness if the case is so made out. The learned counsel for the Petitioners states that thus he is not presently pressing prayer clause 3 and will approach the Human Rights Commission for necessary relief. The writ petition, at present, will continue in respect of the first two prayers.

5. The learned State Attorney states that the issue of CCTV cameras in the Police Station is currently under consideration by the Hon'ble Supreme Court, and the relevant information regarding the CCTV cameras and their functioning at the Police Station, will also be placed on record in the present petition.

6. At the request of the learned State Attorney, post on 7 October 2025.

Sd/-

NITIN JAMDAR
CHIEF JUSTICE

Sd/-

BASANT BALAJI
JUDGE

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