IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE THE CHIEF JUSTICE MR. NITIN JAMDAR

&

THE HONOURABLE MR.JUSTICE BASANT BALAJI

Friday, the 8th day of August 2025 / 17th Sravana, 1947

WP(C) NO. 23660 OF 2025(F)

PETITIONER:

STATE OF KERALA, REPRESENTED BY THE CHIEF SECRETARY GOVERNMENT SECRETARIAT THIRUVANANTHAPURAM, PIN - 695001

RESPONDENTS:

1. **SANDEEP VAACHASPATI HOUSE NO 10 RAJALAKSHMI NAGAR PATTOM P.O THIRUVANANTHAPURAM, PIN - 695004**
2. **NATIONAL HUMAN RIGHTS COMMISSION (LAW DIVISION) MANAV ADHIKAR BHAVAN BLOCK -C G P O COMPLEX INA, NEW DELHI, PIN - 110023**
3. **ADDL.R3: MR.JAYAPRAKASH (FATHER OF THE DECEASED), S/O.THANKACHAN PILLAI, PAVITHRAM, VINOD NAGAR, KURAKODE, NEDUMANGAD P.O., THIRUVANANTHAPURAM, PIN - 695541**
4. **ADDL.R4: MS.SHEEBA M.R., W/O.JAYAPRAKASH, PAVITHRAM, VINOD NAGAR, KURAKODE, NEDUMANGAD P.O., THIRUVANANTHAPURAM, PIN - 695541 * ADDL.R3 & R4 ARE SUO MOTU IMPLEADED AS PER ORDER DATED 11.07.2025 IN WP(C) 23660/2025.**

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 stay the further proceedings in Exhibit P4, till the disposal of this Writ Petition.

This petition again coming on for orders upon perusing the petition and the affidavit filed in support of WP(C) and this court's order dated 11.07.2025 and upon hearing the arguments of GOVERNMENT PLEADER & SRI.K.P.JAYACHANDRAN, ADDL.ADVOCATE GENERAL for petitioner, M/S. V.SETHUNATH, THOMAS ABRAHAM, SREEGANESH U., LAKSHMINARAYAN.R & GAUTHAM KRISHNAN K.G., Advocates for the 1st respondent, SMT.PRABHA R.MENON, STANDING COUNSEL for respondent 2 and of SRI.GEORGE POONTHOTTAM (SR.) alongwith M/S. NISHA GEORGE, KAVYA VARMA M. M., Advocates for the respondents 3 and 4(B/o.), the court passed the following:

NITIN JAMDAR, C. J. & BASANT BALAJI, J.

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W. P. (C) No. 23660 of 2025

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Dated this the 8th day of August, 2025

O R D E R

Heard Mr. S. Renjith, learned Special Government Pleader for the Petitioner-State, Mr. V. Sethunath, learned counsel for Respondent No. 1 and Ms. Kavya Varma, learned counsel representing Ms. Nisha George, learned counsel for Respondent Nos. 3 and 4.

2. Rule. The petition is admitted.

3. In the meanwhile, we permit Respondent Nos. 3 and 4 to withdraw the amount deposited on an undertaking to be filed before this Court, that the withdrawal will be subject to the outcome of this writ petition.

4. Learned counsel for Respondent Nos. 3 and 4 states that the other remedies, if open to Respondent Nos. 3 and 4 in law, be not foreclosed because of the permission to withdraw the amount. It is needless to issue this clarification as in this matter, we are only considering the challenge to the order passed by the National Human Rights Commission. It is in this context that we have permitted Respondent Nos. 3 and 4 to withdraw the amount on the above condition.

Sd/-
NITIN JAMDAR
CHIEF JUSTICE

Sd/-
BASANT BALAJI
JUDGE

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