



2025:KER:26320

W.P.(C)No.12644 of 2025

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE C.S.DIAS

THURSDAY, THE 27TH DAY OF MARCH 2025 / 6TH CHAITHRA, 1947

WP(C) NO. 12644 OF 2025

PETITIONERS:

- 1 BIJU P SIMON
 AGED 48 YEARS
 S/O P C SIMON, POOVATHINGAL HOUSE, KARNAMKOTT
 LANE, MADAKKATHARA P.O., THRISSUR DISTRICT, PIN
 - 680651
- 2 SURESH KUMAR
 AGED 42 YEARS
 S/O RAJAPPAN, KANNATTUPARAMBIL HOUSE,
 NEERATTUPURAM PO, THALAVADY, ALAPPUZHA DISTRICT,
 PIN - 680571

BY ADVS.
T.H.RAIHANATH
BASIL PAUL

RESPONDENTS:

- 1 STATE OF KERALA
 REPRESENTED BY THE SECRETARY TO HEALTH
 DEPARTMENT, GOVERNMENT SECRETARIAT,
 THIRUVANANTHAPURAM, PIN - 695001
- 2 THE PRINCIPAL SECRETARY
 DEPARTMENT OF HEALTH, GOVERNMENT OF KERALA,
 GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN
 - 695001



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**3 THE DISTRICT LEVEL AUTHORIZATION COMMITTEE FOR
TRANSPLANTATION OF HUMAN ORGANS, ERNAKULAM
REPRESENTED BY ITS CHAIRMAN, GOVERNMENT MEDICAL
COLLEGE, MEDICAL COLLEGE P.O., THRISSUR
DISTRICT, PIN - 680596**

**4 MEDICAL DIRECTOR
WEST FORT HOSPITAL, WEST FORT P.O., THRISSUR
DISTRICT, PIN - 680004**

GP SRI B S SYAMANTHAK

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
27.03.2025, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**



C.S.DIAS,J

W.P.(C).No. 12644 of 2025

Dated this the 27th day of March, 2025

JUDGMENT

The writ petition is filed to direct the 2nd respondent to consider and dispose of Ext.P8 appeal, expeditiously.

2. The 1st petitioner is suffering from chronic kidney disease. He has been advised to undergo transplantation. The 2nd petitioner has offered to donate his kidney. Even though the petitioners had preferred a joint application before the 3rd respondent, the same was rejected by Ext.P7 order. Aggrieved by the Ext.P7 order, the petitioners have preferred Ext.P8 appeal before the 2nd respondent on 18.03.2025. The petitioners are apprehensive that the 2nd respondent may not consider their appeal, expeditiously. Hence, the writ petition.



3. Heard; the learned counsel for the petitioners and the learned Government Pleader.

4. On a consideration of the facts and the materials on record, particularly that Ext.P8 appeal is pending consideration before the 2nd respondent, without expressing anything on the merits of the appeal, I deem it appropriate to direct the 2nd respondent to dispose of the appeal, expeditiously.

In the said circumstances, I allow the writ petition, by directing the 2nd respondent to consider and dispose of Ext.P8 appeal, in accordance with law and as expeditiously as possible, at any rate, within three weeks from the date of production of a copy of the judgment.

The writ petition is ordered accordingly.

Sd/-

**C.S.DIAS
JUDGE**



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APPENDIX OF WP(C) 12644/2025

PETITIONER EXHIBITS

- | | |
|-------------------|--|
| Exhibit P1 | THE TRUE COPY OF CERTIFICATE DATED 12.02.2025 BY THE MEDICAL PRACTITIONER WEST FORT HOSPITAL, TRISSUR |
| Exhibit P2 | THE TRUE COPY OF NOTARISED AFFIDAVIT DATED 07.01.2025 SWORN BY THE PETITIONERS |
| Exhibit P3 | THE TRUE COPY OF IDENTIFICATION CERTIFICATE OF 1ST PETITIONER DATED 02.12.2024 |
| Exhibit P4 | THE TRUE COPY OF FORM 3 APPLICATION SUBMITTED BY THE PETITIONERS DATED 07.01.2025 |
| Exhibit P5 | THE TRUE COPY OF FORM II APPLICATION SUBMITTED BY THE PETITIONERS DATED 07.01.2025 |
| Exhibit P6 | THE TRUE COPY OF LETTER DATED 14.01.2025 ISSUED BY 4TH RESPONDENT TO THE 3RD RESPONDENT |
| Exhibit P7 | THE TRUE COPY OF THE ORDER OF 3RD RESPONDENT DATED 13.02.2025 |
| Exhibit P8 | THE TRUE COPY OF THE APPEAL SUBMITTED BY PETITIONERS BEFORE THE 2ND RESPONDENT DATED 18.03.2025 ALONG WITH E-MAIL RECEIPT |