IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS

Monday, the 2nd day of March 2026 / 11th Phalguna, 1947

WP(C) NO. 2346 OF 2026(P)

PETITIONER:

MAR JOSEPH PAMPLANY ARCHBISHOP, (VICAR OF THE MAJOR ARCHBISHOP OF THE ARCHDIOCESE OF ERNAKULAM – ANGAMALY), RESIDING AT THE ARCHBISHOP'S HOUSE, THALASSERY, KANNUR DISTRICT, PIN - 670101

RESPONDENTS:

1. **THE STATE OF KERALA REPRESENTED BY THE HOME SECRETARY, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM , PIN - 695001**
2. **THE COMMISSIONER OF POLICE KOCHI CITY, OFFICE OF THE COMMISSIONER OF POLICE, ERNAKULAM, KOCHI , PIN - 682031**
3. **THE DEPUTY COMMISSIONER OF POLICE X7QH+6JG, KACHERIPADY, OLD RAILWAY STATION ROAD, ERNAKULAM DISTRICT, KOCHI, PIN - 682018**
4. **THE STATION HOUSE OFFICER ERNAKULAM TOWN CENTRAL POLICE STATION, ERNAKULAM, KOCHI , PIN - 682018**
5. **JOHNSON MATHEW KONIKKARA HOUSE, K.K. PADMANABHAN ROAD, ERNAKULAM DISTRICT, KOCHI, PIN - 682018**
6. **JOE GABRIEL MANNOOPARAMBIL HOUSE, I.S. PRESS ROAD, ERNAKULAM DISTRICT, KOCHI, PIN - 682018**
7. **CELIA ANTONY PURATHOOR HOUSE, K.K. PADMANABHAN ROAD, POWERHOUSE JUNCTION, ERNAKULAM DISTRICT, KOCHI, PIN - 682018**
8. **THOMAS KATTIKKARAN KATTIKKARAN HOUSE, DIVINE NAGAR, SOUTH CHITTOOR, ERNAKULAM DISTRICT, KOCHI, PIN - 682027**
9. **ADDL. R9: SIBICHAN SEBASTIAN S/O SEBASTIAN, URULICHALIL HOUSE, KANNAMPILLIL ROAD, PACHALAM, COCHIN, KANAYANNOOR TALUK, ERNAKULAM VILLAGE, ERNAKULAM 682012 ** IS IMPLEADED AS ADDITIONAL R9 AS PER THE ORDER DATED 24/02/2026 IN I.A NO 1/26 IN WPC 2346/2026**
10. **ADDL. R10:XAVIER ALEXANDER, S/O T.S. ALEXANDER, AGED 62, RESIDING AT 32/564F, MADAVANA KARMALA BHAVANAM, BETHEL ENCLAVE, PALLISSERY ROAD, KANAYANNOR TALUK, PALARIVATTOM VILLAGE, ERNAKULAM -682025 **IS IMPLEADED AS ADDITIONAL R10 AS PER THE ORDER DATED 02.03.2026 IN I.A NO 2/26 IN WPC 2346/2026.**
11. **ADDL. R11:P.A. JOSHI, AGED 50 S/O ANTONY, RESIDING AT PERUMPILLY HOUSE, KANAYANNUR TALUK, ELAMKULAM VILLAGE, ERNAKULAM-682025**IS IMPLEADED AS ADDITIONAL R11 AS PER THE ORDER DATED 02.03.2026 IN I.A NO 2/26 IN WPC 2346/2026.**
12. **ADDL. R12:P.S. JAMES,AGED 54 S/O. P J SKARIA PRESENTLY RESIDING AT, PUTHENPARAMBIL, 46/100 3A, VADUTHALA P.O., KOCHI,PINCODE-682023 **IS IMPLEADED AS ADDITIONAL R12 AS PER THE ORDER DATED 02.03.2026 IN I.A NO 3/26 IN WPC 2346/2026.**
13. **ADDL. R13:SABU PULLAN,AGED 59, S/O P V FRANCIS PRESENTLY RESIDING AT, VLRA 15, PUTHIYA ROAD, LFC VIA, KALOOR,PINCODE -682017 **IS IMPLEADED AS ADDITIONAL R13 AS PER THE ORDER DATED 02.03.2026 IN I.A NO 3/26 IN WPC 2346/2026.**

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 respondents 2 and 4 to take immediate action on Ext.P5, pending disposal of the Writ Petition.

This petition coming on for orders upon perusing the petition and the affidavit filed in support of WP(C) and this court's order dated 22.01.2026 and upon hearing the arguments of M/S.TONY GEORGE KANNANTHANAM, THOMAS GEORGE, EBEE ANTONY, AJITH GEORGE KOOLA & SIVASHANKAR PANICKER, Advocates for the petitioner, GOVERNMENT PLEADER for R1 to R4, M/S.JOY GEORGE, PRAICY JOSEPH, TANYA JOY Advocates for R5, M/S.P.G. JAYASHANKAR, PUSHPAVATHI.K, S.RAJEEV, SAJANA V.H, SHAIJU GEORGE, SANDRA DAVIS, BINCY JOSE, ADHITHYAN P.V., Advocates for R6 & R7, ADDL RESPONDENTS R9, R10 & R11 , M/S.MOHAN IDICULLA ABRAHAM, MARTIN D.ALUMKARA, ASWATHY ROY, SHYAMILIPRIYA P.P., JEEVAN J. MATHEW, RACHEL JOSEPH, NIKHITHA T.S., Advocate for R8, M/S. SHINTO MATHEW ABRAHAM , KARTHIKA MARIA, ARUN THOMAS , ANIL SEBASTIAN PULICKEL,VEENA RAVEENDRAN , MATHEW NEVIN THOMAS, KURIAN ANTONY MATHEW , NOEL NINAN NINAN, APARNNA S., ADEEN NAZAR, ARUN JOSEPH MATHEW, ROHAN MATHEW & LEAH RACHEL NINAN, Advocates for ADDL.RESPONDENTS R12 & R13, the court passed the following:

THE HIGH COURT OF KERALA
सत्यमेव जयते

BECHU KURIAN THOMAS, J.

==========

W.P.(C)No.2346 of 2026

==========

Dated this the 02nd day of March, 2026

O R D E R

The dispute in this writ petition has its genesis in the performance of Holy Mass (Qurbana) at the St. Mary's Cathedral Basilica Church, Broadway, Ernakulam, which comes under the Ernakulam-Angamaly Archdiocese of the Syro-Malabar Church. The said Church is stated to be one of the largest Cathedral Church under the Archdiocese.

2. The petitioner is the Archbishop, who has also been appointed as the Vicar of the Major Archdiocese of Ernakulam-Angamaly, specifically by the Synod of the Church, to resolve the dispute that had arisen between various factions of the Church. Several disputes are pending consideration between the parties before the civil courts. This writ petition is filed seeking a direction to enforce the obligation cast upon police under Section 38(1) of the Kerala Police Act, 2011. The writ petitioner alleged that many persons who form the dissenting group in the Church, have trespassed into the Church and are remaining inside,

restricting the right of access to other believers of the Church.

3. The contesting respondents have opposed the averments in the writ petition and have blamed the petitioner and others for failing to abide by the directions issued by the civil court in various disputes.

4. During the course of hearing of this writ petition, the parties themselves agreed to attempt to settle the disputes by a process of mediation. This Court also felt that mode of mediation would be an appropriate means to resolve the dispute, especially considering the nature of allegations and counter allegations. Since the consensus between the parties, atleast on mediation, threw open a possibility of resolution of the dispute, this Court requested the parties to suggest names to be appointed as a Mediator.

5. Both the petitioner and respondents 5 to 9, without any hesitation, agreed on the name of Justice T.R. Ramachandran Nair, (a former Judge of this Court) as the Mediator. This Court, thereafter, obtained the oral consent of Retired Justice T.R. Ramachandran Nair. In view of the above, this Court deems it appropriate to appoint Justice T.R. Ramachandran Nair, (Retired Judge, High Court of Kerala), Thekkedath House, Diwans Road, Kochi-682019, as a Mediator to explore the

possibility of settlement through mediation.

6. Accordingly, Justice T.R. Ramachandran Nair, former Judge of this Court, is hereby appointed as a Mediator, to resolve the dispute between the parties. The report of mediation is requested to be placed before this Court without undue delay.

7. In the meantime, in order to maintain equanimity between the parties, the petitioner as well as the contesting respondents agreed to abide by certain terms, the details of which are given below:

(i). The petitioner and all priests under him will not perform/conduct Holy Mass (Qurbana) at the St. Mary's Cathedral Basilica Church, Broadway, Ernakulam including the Chapel adjacent thereto, or in temporary building or structure within the Church premises, pending the mediation. The above restriction shall be confined to the members of the laity and or congregation and will not be applicable to Holy Mass performed for priests inside the Chapel, adjacent to the Basilica. However, the petitioner and all priests under him, can perform celebrations of all other sacraments, except the Holy Mass (Qurbana).

(ii). The petitioner shall ensure that the Church is kept

open from 05:30 am till 08:00 pm everyday, for all persons to attend the Church for prayers.

(iii). The contesting respondents and all others under them, who are alleged to be occupying the Church shall vacate the Church and its premises at the earliest, at any rate before 05:00 pm on 04.03.2026.

(iv). Under no circumstances shall the petitioner or anybody acting under him or the party respondents, obstruct the ingress or egress of any person from and to the Church.

(v). The fee for the mediator, as an interim measure, is hereby fixed at Rs.5,00,000/- (Rupees Five Lakhs only), which shall be paid by the petitioner in two installments, with the first installment payable within one week from today and the balance payable before completion of the mediation.

(vi). The venue and time of the mediation shall be at the choice of the Mediator and the expenses for mediation, if any, shall be met by the petitioner, apart from the Mediator's fees. The Mediator shall commence the proceedings at the earliest, on a date of his choice and conclude the same without undue delay.

(vii). The petitioner or his authorized representative will be at liberty to participate in the mediation. Notwithstanding the

above, the Mediator will be at liberty to insist on the presence of the petitioner during the course of the mediation. If the Mediator feels it appropriate to engage the services of an expert, he will be at liberty to do so and the expenses for such expert shall also be met by the petitioner.

The Registry of this Court is directed to serve a copy of this order on the Mediator while the parties shall furnish copies of their pleadings to the Mediator.

Post on 30.03.2026.

Sd/-

BECHU KURIAN THOMAS
JUDGE

NB/2-3