



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS

THURSDAY, THE 16TH DAY OF JULY 2026 / 25TH ASHADHA, 1948

WP(C) NO. 15562 OF 2024

PETITIONERS :

1 MAHESH B. @ MAHESH PANJU
AGED 58 YEARS,
S/O. LATE P. BALAKRISHNAN NAIR,
KAIRALI' HOUSE,
TC 27/441-3, KUNNUKUZHI,
VANCHIYOOR P.O., THIRUVANANTHAPURAM,
PIN - 695035

2 SASIKUMAR AMBALATHARA,
AGED 58 YEARS,
S/O. G. KRISHNAN NAIR,
AKSHAYA AMBALATHARA,
THIRUVANANTHAPURAM,
PIN - 695026

BY ADVS.
SHRI.SHYAM KRISHNAN
SHRI.N.B.SUNILNATH
SRI.GENS GEORGE ELAVINAMANNIL
SHRI.S.K.HARISH

CNR : KLHC011013752024



2026:KER:53062

RESPONDENTS :

- 1 STATE OF KERALA,
REPRESENTED BY SECRETARY CULTURAL AFFAIRS
DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM,
PIN - 695001
- 2 KERALA STATE CHALACHITHRA ACADEMY
REPRESENTED BY ITS SECRETARY CENTRE FOR
INTERNATIONAL FILM RESEARCH AND ARCHIVES (CIFRA)
SATHYAN MEMORIAL BUILDING,
KINFRA FILM & VIDEO PARK,
SAINIK SCHOOL P.O.,
KAZHAKKOOTAM, THIRUVANANTHAPURAM,
PIN - 695585
- 3 CHAIRMAN,
JURY FOR NON-FICTION 31ST KERALA STATE TELEVISION
AWARDS, 2022 KERALA STATE CHALACHITHRA ACADEMY
CENTRE FOR INTERNATIONAL FILM RESEARCH AND ARCHIVES
(CIFRA) SATHYAN MEMORIAL BUILDING,
KINFRA FILM & VIDEO PARK,
SAINIK SCHOOL P.O.,
KAZHAKKOOTAM, THIRUVANANTHAPURAM,
PIN - 695585
- 4 SECRETARY,
KERALA STATE CHALACHITHRA ACADEMY CENTRE FOR
INTERNATIONAL FILM RESEARCH AND ARCHIVES (CIFRA)
SATHYAN MEMORIAL BUILDING,
KINFRA FILM & VIDEO PARK
SAINIK SCHOOL P.O.,
KAZHAKKOOTAM,
THIRUVANANTHAPURAM,
PIN - 695585

CNR : KLHC011013752024



2026:KER:53062

- 5 P.K. VENUGOPAL,
CHAIRMAN, JURY FOR NON-FICTION
31ST KERALA STATE TELEVISION AWARDS,
2022 211 G C NAGAR, PEROORKADA,
THIRUVANANTHAPURAM,
PIN - 695005
- 6 C. AJOY,
SECRETARY, KERALA STATE CHALACHITHRA ACADEMY CENTRE
FOR INTERNATIONAL FILM RESEARCH AND ARCHIVES
(CIFRA) SATHYAN MEMORIAL BUILDING,
KINFRA FILM & VIDEO PARK
SAINIK SCHOOL P.O.,
KAZHAKKOOTAM,
THIRUVANANTHAPURAM,
PIN - 695585
- 7 K.M. AYYAPPAN,
PUBLIC RELATIONS OFFICER (PRO)
STATE ELECTION COMMISSION
T.C. 27/6(2), VIKAS BHAWAN P.O.
THIRUVANANTHAPURAM,
PIN - 695001
- 8 BINDU SAJAN,
W/O. G. SAJAN
T.C. NO. 19/2381,
DARSHAN NAGAR KUDAPPANAKUNNU,
THIRUVANANTHAPURAM,
PIN - 695043
- 9 INJI FILMS PVT. LTD.,
REPRESENTED BY ITS MANAGING DIRECTOR,
T.C. NO. 19/2381,
DARSHAN NAGAR,
KUDAPPANAKUNNU,
THIRUVANANTHAPURAM,
PIN - 695043

CNR : KLHC011013752024



2026:KER:53062

- 10 K.S. RAJASHEKHARAN
TC 9/783, SANTHVIL,
VJ LANE, SASTHAMANGALAM P.O.,
THIRUVANANTHAPURAM,
PIN - 695010
- 11 KERALA STATE BIODIVERSITY BOARD
REPRESENTED BY ITS MEMBER SECRETARY L-14,
JAI NAGAR, MEDICAL COLLEGE P.O.
THIRUVANANTHAPURAM,
PIN - 695011
- 12 DEEPU THAMBAN
BEENA BHAVAN, NEAR KANNETTU VILA
KATTAIKONAM, THIRUVANANTHAPURAM,
PIN - 695584
- 13 MANILAL PADAVOOR,
AGARAM PTTRA 4, MATTATHUMKADU LANE
NARAYAN ASAN ROAD, VYTTILA,
ERNAKULAM, PIN - 682019
- 14 PRIYA RAVEENDRAN,
THARA-64, CHEMPAKASSERIL HOUSE
PULIMOODU LANE, THAMPURANMUKKU,
VANCHIYOOR P.O.,
THIRUVANANTHAPURAM,
PIN - 695035
- * ADDL.R15 TO R17 ARE IMPEADED
- 15 S. RAMESH KUMAR
CHAITHANYA, THONNALLOOR,
PANDALAM P.O.,
PATHANAMTHITTA - 689 501
MOBILE NO: 755995088
- 16 G. PRADEEP
DEEPTHI THRIKOVILVATTOM,

CNR : KLHC011013752024



2026:KER:53062

MUKHATHALA P.O.,
KOLLAM-691 577
MOBILE NO: 8891602829

17 N.P. NISA
D/O N.P. UNNI KRISHNAN MASTER REJANA,
NEAR RAILWAY GATE,
CHERUKARA P.O.,
MALAPPURAM - 679 340
MOBILE NO: 9947252939
(EMAIL: NISASULOV1@GMAIL.COM.)

* [ADDL.R15 TO R17 ARE IMPEADED AS PER ORDER DATED
29.08.2024 IN I.A.3/2024 IN WP(C)15562/2024].

** ADDL.R18 IS IMPEADED

18 MANILAL
'USHAS', PERINKAVU P.O.,
THRISSUR (LAST KNOWN ADDRESS)
MOBILE NUMBER: OLD - 9447380651,
NEW- 7510680651

** ADDL.R18 IS IMPEADED AS PER ORDER DATED 10/09/2024
IN IA NO.6/2024 IN WP(C)15562/2024]

BY ADVS.

SRI.A.SUDHI VASUDEVAN (SR.)
BY SRI.JOSEPH BENSON
BY SRI.UNNI SEBASTIAN KAPPEN, SENIOR GOVERNMENT
PLEADER
SRI.JOSE JONES JOSEPH, SC
BY ADV.JANNATH BINTH MANAKKADAVEN
SMT.SHILPA SATHISH
SMT.SAJEENA ABDU T.K.
SHRI.NAVEEN.T, SC
SMT.H.SUBHALEKSHMI
SMT.BABY NANDHINI K.

CNR : KLHC011013752024



2026:KER:53062

SHRI.V.B.ANANTHA NARAYANAN
SHRI.ABHISHEK T.M.
SMT.SHAHANA N.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
01.07.2026, THE COURT ON 16.07.2026 PASSED THE FOLLOWING:



"C.R."

BECHU KURIAN THOMAS, J.
=====

W.P.(C).No.15562 of 2024
=====

Dated this the 16th day of July, 2026

JUDGMENT

Petitioners have sought for a declaration that Rule II and VII of the Rules for the Kerala State Television Awards, 2022, is ultra vires Article 14 of the Constitution of India, to the extent it prohibits applicants from questioning the decision of the jury and demanding them to submit an affidavit to such an effect. Petitioners also seek to quash the Government Order constituting the jury for considering the Kerala State Television Awards, 2022, apart from a direction to restrain respondents from considering the entry submitted by respondents 8 and 9 for the Best Documentary Award in the General category.

2. Pursuant to the invitation of the Kerala State Chalachithra Academy for Television Awards 2022, petitioners and respondents 8 to 14 submitted their entries for award for the Best Documentary (General)

CNR : KLHC011013752024



2026:KER:53062

and other categories. Alleging that the documentary submitted by the eighth respondent could not have qualified to be considered for the Award in the said category and the petitioners have challenged not only the grant of Award to the documentary created by the eighth respondent but also the constitution of the jury as well.

3. Shorn of all the unnecessary details pleaded in the writ petition, it has to be stated that the petitioners and the seven respondents had submitted their respective documentaries for the Kerala State Television Awards 2022 (for short 'the Awards'). The jury consisted of six members including the second respondent - the Member Secretary of the Chalachithra Academy. The petitioners allege that though the jury ought to consist of distinguished persons in the field of Visual Arts, none of the jury members fell in that category and hence they were not competent to judge the entries. Petitioners also allege that when the awards were declared on 06.03.2024, the documentary of the eighth respondent was chosen, while that of respondents 10 and 11 were selected for the Award for Best Documentary (Science and Environmental) and that of 12th respondent as the Best Documentary (Biographical). Since the petitioners soon realised that the documentary



of the respondents ought not to have even been considered for the awards, they have approached this Court questioning the grant of awards. Various discrepancies, including the language of the documentary submitted by the 8th respondent, lack of competence of the jury and the alleged bias of the 5th respondent - the Chairman of the Jury Committee in favour of his former colleague - the 10th respondent and husband of the eighth respondent, has, according to the petitioners, vitiated the awards. Rules II and VII of Ext.P1 Rules to the extent it prohibits applicants for awards, from questioning the decision of the jury and compels them to submit an affidavit, undertaking not to question the awards, is also sought to be declared as ultra vires Article 14 of the Constitution of India.

4. A counter affidavit has been filed on behalf of respondents 2, 4 and 6 stating that the writ petition itself is belated as the awards were declared as early as on 06.03.2024 apart from the jury having been constituted on 09.02.2024, while the writ petition was filed on 11.04.2024. It is further stated that petitioners cannot question the view of the jury especially since the awards are declared after carrying out a comparative assessment of the entries and further that the 'Jury Special

CNR : KLHC011013752024



2026:KER:53062

Mention Award' is at the discretion of the jury and no participant can insist for such a recognition. According to the respondents, the documentary of respondents 8 and 9 is a Malayalam documentary that was telecast through Doordarshan Kendra, Thiruvananthapuram, and the contention to the contrary is incorrect. The allegation of bias was also denied as one made without any material and purely on the basis of an apprehension apart from the petitioners having never taken any exception to the composition of the jury earlier, until their entries were not selected for the Award. Respondents also averred that the jury members are all qualified and their competence cannot be questioned by the petitioners.

5. Respondents 8 and 12, in their counter affidavit has averred that their documentary '*Palayanathil Nashtapettavar*' had won the Silver Award for the second Best Documentary Film at the Milan Gold Awards International Film Festival and the allegation of apprehension of bias by the Chairman of the Jury alleging that he was the colleague of the eighth respondent's husband for 35 years is baseless and misconceived. It is also stated that the jury members are distinguished persons in the field of visual arts and are capable of assessing the quality of the

CNR : KLHC011013752024



2026:KER:53062

documentaries.

6. In the separate counter affidavits filed by respondents 10 and 13, they have stated that the petition has been filed without any bonafides. The tenth respondent also asserted that he is a retired Programme Executive of Doordarshan and a recipient of a plethora of State and National Awards during his long career. It was also stated that mere acquaintances cannot be considered as a source of an apparent bias. The thirteenth respondent has denied the said allegations and stated that he was a recipient of the Kerala State Television Awards, 2006 for Best Director for his film in the category of 'Non-fiction'. It is further stated that the first petitioner had served the Chalachithra Academy as its Secretary and he is casting aspersions on the second respondent and vilifying the declaration of the awards which creates a toll on the respondents. They have alleged that the Rule VII was brought into the Rules at the request of the petitioners and they cannot, now, question the said provision.

7. Sri. Shyam Krishnan, the learned counsel for the petitioners referred to the definition of the term 'visual artist' as defined in various dictionaries, and asserted with vehemence that the term refers to a

CNR : KLHC011013752024



2026:KER:53062

person involved in the art of painting, sculpting, photography, etc, as opposed to music, drama and literature. It was also asserted that a visual artist is a person who paints, draws, takes photographs, makes sculptures as opposed to performing music, acting or writing. The learned Counsel submitted that since the jury constituted by the Government as per Ext.P5, were not persons of any distinction in any of the above fields, they were incompetent and even disqualified to be members of the jury. Sri. Shyam Krishnan also argued that Rules II and VII of the Rules for the Award were arbitrary and violative of Article 14 of the Constitution of India as they restrict access of a person to courts and is an intrusion into the right to judicial review. The learned Counsel also argued that the jury members including the Chairman was totally biased and referred to the circumstance that the fifth respondent was a colleague of the husband of the eighth respondent at Doordarshan for about 35 years. Other allegations of bias were also raised against other awardees. It was thus submitted that the entire awards were vitiated. The learned Counsel also relied upon the decisions in **Sourabh Jain (Dr.) and Others v. State of Kerala and Others** [2011 (1) KLT 888], **Dr. Triloki Nath Singh v. Dr. Bhagwan Din Misra and Others** [(1990) 4 SCC 510], **Krishna Rai**



and Others v. Banaras Hindu University and Others [(2022) 8 SCC 713], and **Dr (Major) Meeta Sahai v. State of Bihar and Others** [(2019) 20 SCC 17], in support of his contentions.

8. Sri. Sudhi Vasudevan, the learned Senior Counsel, instructed by Sri. Joseph Benzon the learned counsel for respondents 2 to 7 and 15 to 17 apart from Smt. Jannath Bintah Manakkadaven, the learned counsel for respondents 8 to 12 submitted that the writ petition is filed with malafides as the petitioners have approached this Court after their documentaries failed to receive any awards. The specific contention raised by the petitioners were countered based on the averment in the counter affidavits. The learned counsel also relied upon the decision in **Satish Babusen and Others v. Chairman Kerala State Chalachithra Academy and Others** [2020 (5) KLT 807], in support of his contentions.

9. Sri. Unni Sebastian Kappen, the learned Senior Government Pleader, also adopted the contentions and submitted that there are no justifiable reasons to interfere with the Awards, that too at this belated stage.



10. Based on the contentions advanced, the questions that require consideration are:

- (i) Whether the jury constituted by the Government satisfies the criteria of persons who are distinguished in the field of visual arts’?,
- (ii) Whether the Rules II and VII of the Rules in Ext.P1 restricting challenges against the Award are legally valid? and;
- (iii) Whether there is any personal bias in the grant of Television Award for the documentary category?.

These issues are considered in seriatim.

Issue No.(i) *Whether the jury constituted by the Government satisfies the criteria of persons who are distinguished in the field of visual arts’?*

11. The Kerala State Television Awards are instituted with the objective to encourage the production of television programmes of high aesthetic and technical standards and social, educational and cultural values. Different categories of awards were instituted for the year 2022, which included ‘Documentary (General)’. Petitioners as well as respondents 8 to 14 had submitted their respective documentaries for

CNR : KLHC011013752024



2026:KER:53062

being considered for the Awards. The first petitioner submitted his documentary titled '*Kumaraparvam*', while the second petitioner submitted his documentary '*Oralppam Kara Tharoo....Kadalaamakalkkoru Snehatheeram*' for the award. The eighth respondent submitted a documentary titled '*Lost in Transit*'/'*Palayanathil Nashtapettavar*', produced by the ninth respondent, for the award. The scheme of the Awards was such that there would be a six member Jury Committee, and the Government shall decide the awards based on the recommendations of the committee. Ext.P1 Regulations require the Jury to be nominated by the Government comprising of the Member Secretary of the Chalachithra Academy, apart from five 'distinguished persons in the field of visual arts' as members.

12. The fifth respondent was the Chairman of the jury, while the sixth respondent, who was the Secretary of the Chalachithra Academy, was the Member Secretary of the jury Committee. Respondents 7 and 15 to 17 were the other members of the jury. When the Awards were declared, the documentary of the eighth and ninth respondent won the Best Documentary in the General category, while

CNR : KLHC011013752024



2026:KER:53062

that of the tenth and eleventh respondents in the Science and Environmental category and that of the twelfth respondent in the Biographical category. When the fourteenth respondent won a Special Jury Mention award, the documentaries of the petitioners did not win any award. Thus after the Awards were declared, petitioners have invoked the remedy under Article 226 of the Constitution of India.

13. While appreciating the contentions, it has to be borne in mind that the term 'visual arts' has not been defined in the Regulations. The general principle in relation to statutes is that when a word is not defined in the statute, certainly the dictionary meaning can be adopted. However, it depends upon the context in which the word is used. Though it is permissible to look into the meaning in dictionary definitions, especially when the term has not been defined, the same is not an inviolable rule. The context in which the term is required to be applied has significance, more so when the term has not been codified. Generally, if a statutory provision is comprehensible in ordinary language, it should be interpreted as per the meaning ascribed by an ordinary person, unless a different meaning is called for from the



context. A meaning independent of the context or the purpose of the Statute or Regulation is not called for. In Justice G. P. Singh Principles of Statutory Interpretation (14th Edition, 2015) it is stated that "*The words of a statute are first understood in their natural, ordinary, or popular sense and phrases and sentences are construed according to their grammatical meaning unless that leads to some absurdity or unless there is something in the context or in the object of the statute to suggest the contrary.*" Reference to the decisions in **N.Kannadasan v. Ajoy Khose and Others** [(2009) INSC 732] is relevant in this context.

14. Bearing in mind the above principle, when the phrase 'persons who are distinguished in the field of visual arts' as occurring in the Regulations is appreciated, in the background of the context, it will be evident that the term 'visual arts' is not used in the grammatical sense of the term, but, in a wider connotation. The Television Awards for the Documentary is neither intended to consider paintings, sculpting, photography or even anything made out of a material such as wood, clay, metal or stone. The jury was constituted for the purpose of determining the award for the Best Documentary shown on television.

CNR : KLHC011013752024



2026:KER:53062

The dictionary meaning as suggested by the learned Counsel for the petitioner, does not include performances like music, drama, acting or writing. Adopting such an interpretation would render the whole purpose of the Awards otiose, as a Television Documentary would necessarily have to include an appreciation of various aspects of film making, writing, casting, acting, music, choreography, editing, sound, visual appeal, and similar other variety of artistic areas and can even include a person who is adept in reviewing art forms, or reviewing movies. Hence to confine the term 'visual arts' in a narrow and pedantic manner, as ascribed in the dictionaries, would destroy the whole purpose of instituting the awards.

15. The language used in the Regulations provide a platform with a flexibility for the Government to appoint persons from diverse fields, especially when the analysis of a documentary requires interdisciplinary expertise. When it comes to judging a documentary, persons like script writers, critics, directors, media analysts, producers, and other similar persons, who do not strictly fall in the dictionary meaning of the term 'visual artist', will still, qualify as persons falling in the category of

CNR : KLHC011013752024



2026:KER:53062

visual arts. Further, since the Government ought to be granted flexibility in the matter of appointment of the jury, a narrow interpretation is not to be adopted, unless it had been specifically codified. The term 'distinguished visual arts' occurring in clause II(1) of the Regulations must be given the widest possible interpretation. Hence the contention of the petitioners, to confine the interpretation of the term 'visual arts' as in the dictionary, is legally unsustainable.

16. The decisions relied upon by the learned Counsel for the petitioner in **Dr. Triloki Nath Singh v. Dr. Bhagwan Din Misra and Others** [(1990) 4 SCC 510] and **Krishna Rai v. Banaras Hindu University and Others** [(2022) 8 SCC 713] are totally distinguishable and have no application to the facts of this case. All those cases related to selection for appointment to different posts where the Courts came to the conclusion that the Selection Committee were not legally constituted.

17. In this context, it needs to be borne in mind that the petitioners had not raised any challenge or objection against the constitution of the jury, until they failed to secure an award for their documentary. The constitution of the jury was notified as per Exhibit P5

CNR : KLHC011013752024



2026:KER:53062

on 09.02.2024 and the Awards were declared on 06.03.2024. The writ petition was filed only on 11.04.2024, and till then there was no dispute about the competence of the jury. Even when the writ petition was filed, the petitioners had no challenge against the constitution of the jury. It was only by a subsequent amendment that the said challenge was incorporated. Though the amendment of the pleadings will, legally, relate back to the date of filing, still, it is a factor that can be reckoned in the peculiar circumstances of the case, to arrive at the conclusion that even the petitioners had no doubt about the competence of the jury initially.

Issue No. (ii) *Whether the Rules II and VII of the Rules in Ext.P1 restricting challenges against the Award are legally valid?*

18. The next challenge raised by the petitioners is against Rules II and VII of the Rules for the Kerala State Television Award, 2022. Rules II and VII of the Rules reads as below :

Rule II 'A person who participate in the Kerala State Television Awards under these Rules shall be deemed to have accepted these rules.'

Rule VII 'Only those names entered in the entry form

CNR : KLHC011013752024



2026:KER:53062

will be considered for the award. A person who has made an entry to any category of Kerala State Television Awards shall abide by all the Regulations for Kerala State Awards for Malayalam Television Programmes and Writings on Television 2022 and he should not question the decision of the Jury. The applicant has to submit a signed affidavit duly notarized to this effect in Rs.200/- stamp paper. In case of violation, his/her or the film's entry will not be considered for the Kerala State Television Award'."

19. Rule II of the Rules only states that a person who participates in the awards shall be deemed to have accepted these rules. The said clause providing for the acceptance of a rule cannot be said to be arbitrary as the very submission of the application itself is an indication that he will be governed by the Rules in force. Therefore, there is nothing arbitrary or illegal about Rule II of the Rules.

20. Petitioners' main grievance is against Rule VII of the Rules, that too, which provides for submission of an affidavit by a person who has made an entry into any category of the Kerala State Television Awards, stating that they will not question the decision of the jury. While considering the legal validity of Rule (VII), it needs to be mentioned that the first petitioner was the Secretary of the Kerala State Chalachithra Academy in 2017. The second respondent has produced Ext.R2(d)

CNR : KLHC011013752024



2026:KER:53062

communication dated 15.07.2017 addressed by the first petitioner as the Secretary of the Academy to the State Government requesting for inclusion of a provision in the Rules that the individual or the establishment who submits an application for the award must submit an affidavit with a condition that he or it shall accept the decision of the jury and shall not question the same. The said request of the first petitioner as the Secretary of the Academy, was accepted by the Government and such a provision was incorporated into the Rules. The very same rule is now sought to be challenged by the petitioners. On a perusal of Ext.R2(d), it is evident that the first petitioner had written the said communication requesting the Government to incorporate a specific condition in Rule VII, as is now existing.

21. The very same clause brought in at the behest of the first petitioner is now challenged by the petitioners. A perusal of the pleadings in the writ petition does not indicate that the petitioners have anywhere mentioned that the said clause was inserted in the Regulations at the request of the first petitioner. The said fact is suppressed by the petitioners. Even after amendment of the writ petition, there is no

CNR : KLHC011013752024



2026:KER:53062

reference to the said fact.

22. In **Prestige Lights Ltd v. State Bank of India**, [(2007) 8 SCC 449], the Supreme court had held that while exercising the discretionary jurisdiction to issue a prerogative writ, the writ court should indeed bear in mind the conduct of the party who is invoking such jurisdiction. It was also observed that if the petitioner does not disclose full facts or suppress relevant materials or is otherwise guilty of misleading the court, the Court may dismiss the action without adjudicating the matter. This rule has been evolved in the larger public interest to deter litigants from abusing the process of the court. The very basis of the writ jurisdiction rests on the disclosure of true, complete and correct facts. If the material facts are not candidly stated or are suppressed or are distorted, the very functioning of the writ courts would become impossible. It was further held that, under Art.226 of the Constitution of India, the High Court is exercising discretionary and extraordinary jurisdiction. Over and above, a court of law being a court of equity, it is of utmost necessity that a party must approach a High Court, by placing all the facts before the court without any reservation. If



there is suppression of material facts on the part of the applicant or twisted facts have been placed before the court, the writ court may refuse to entertain the petition and dismiss it without entering into the merits of the matter.

23. As this court is of the view that the first petitioner having not placed the fact that the Rule VII challenged by the petitioners was inserted in the Rules at his behest, the petitioners have not disclosed the entire facts and are hence not entitled to the discretionary remedy under Article 226 of the Constitution of India. In such circumstances, the challenge to Rule VII is left open.

Issue No. (iii). Whether there is any personal bias in the grant of Television Award for the documentary category?

24. As regards the allegation of personal bias is concerned, law requires that bias must be established by specific pleadings and materials. Law requires a party alleging bias, to prove that there was a real likelihood of bias and when such allegations are made, the issue will have to be decided on the basis of circumstances and facts arising in each individual case. Though it is not necessary that actual bias should

CNR : KLHC011013752024



2026:KER:53062

be proved, the real likelihood test contemplates something more than just a possibility of bias. The degree of bias must be substantially very high to categorise bias as real likelihood. The concept of 'real likelihood' depends on the impression which the court can gather from the circumstances and the probabilities that can be inferred from the surrounding circumstances. A mere allegation of bias is not sufficient and there must be a certain degree of actual bias that can be inferred from the surrounding circumstances. Vague suspicions of a whimsical or capricious or a disgruntled person cannot be made the standard to regulate an action in law. Further, the allegation of bias cannot be far fetched as well.

25. In **State Of Punjab v. V.K Khanna And Others** [(2001) 2 SCC 330], it was observed that the test, therefore, is as to whether there is a mere apprehension of bias or there is a real danger of bias and it is on this score that the surrounding circumstances must and ought to be collated and necessary conclusion drawn therefrom. In the event, however, the conclusion is otherwise that there exists a real danger of bias, the administrative action cannot be sustained. If on the other hand



allegations pertain to rather fanciful apprehension in administrative action, the question of declaring them to be unsustainable on the basis therefore, would not arise. The decision in **S. Parthasarathi v. State Of Andhra Pradesh** [(1974) 3 SCC 459] is also relevant in this regard.

26. **Satish Babusenana and Others v. Chairman, Kerala State Chalachithra Academy and Others** [2020 (5) KLT 807], a learned Single judge of this Court had observed that actual judicial bias exists when a Jury Member who presides over is biased against or in favour of one of the parties. Actual bias exists where it can be shown that a Jury can be shown to be committed to give a particular verdict irrespective of the merits. Apprehended judicial bias exists where a fair minded layman reasonably thinks that the Jury will not give opinion or decision in the matter impartially. The test then would be whether there is a real possibility, as against remote probability, of bias. It was further observed that when an adjudicatory mechanism is put in place for a specialised professional field having limited number of professionals, it is normal that the members of the adjudicatory body who are also from the same profession, are known personally or professionally to others in the

CNR : KLHC011013752024



2026:KER:53062

same field. But, that would not be enough to establish that there is real likelihood of bias in the adjudicatory body. The aforementioned observations are relevant in the instant case also.

27. In the instant case, the petitioners have alleged that the 5th respondent, the Chairman of the jury which selected the 8th respondent's documentary was a colleague of the 8th respondent's husband for 35 years at Doordarshan, Thiruvananthapuram and was also a colleague of the 10th respondent, which according to them vitiates the decision of the jury. Even if the said allegation of acquaintances between fifth respondent, eighth respondent's husband and tenth respondent are assumed to be correct, still, it has to be noticed that the jury for the Awards consisted of six persons and the fifth respondent was only one of the members, though appointed as the Chairman. The Rules do not permit a decision to be taken by the Chairman alone, and instead, it is the decision of the majority that prevails. Thus, in the instant case, even if the allegations about the acquaintances between the fifth respondent, eighth respondent's husband and tenth respondent are assumed to be correct, still, there is no real likelihood of bias. In such circumstances the

CNR : KLHC011013752024



2026:KER:53062

allegation of bias raised in the instant case has to be discarded. There are no materials to conclude that an actual bias exists or that the jury was committed to give the verdict irrespective of the merits, in favour of the eighth respondent or other respondents. Hence there are no materials to assume even a remote probability of bias much less a real possibility.

In the result, the contentions raised by the petitioners are without any merit and hence the writ petition is dismissed.

Sd/-
BECHU KURIAN THOMAS, JUDGE

RKM

CNR : KLHC011013752024



2026:KER:53062

APPENDIX OF WP(C) NO. 15562 OF 2024

PETITIONERS' EXHIBITS :

Exhibit P1	TRUE COPY OF THE RELEVANT PAGES OF THE REGULATIONS & RULES ISSUED BY THE 2ND RESPONDENT, FOR THE KERALA STATE TELEVISION AWARDS, 2022
Exhibit P2	TRUE COPY OF THE RELEVANT PAGES OF THE DECLARATION OF THE 31ST KERALA STATE TELEVISION AWARDS, ANNOUNCED BY THE 2ND RESPONDENT ON 06.03.2024
Exhibit P3	TRUE COPY OF THE ORDER DATED 29-11-2019, ISSUED BY THE I & PRD, LISTING THE EMPANELLED DIRECTORS OF THE I & PRD.
Exhibit P4	TRUE COPY OF THE RELEVANT PAGES OF THE MEMORANDUM OF ASSOCIATION OF THE 2ND RESPONDENT
Exhibit P5	TRUE COPY OF G.O. (RT) NO.70/2024/CLAD DATED 09-02-2024, ISSUED BY THE 1ST RESPONDENT
Exhibit P6	TRUE COPY OF THE REPLY DATED 09-01-2025, ISSUED BY THE 2ND RESPONDENT TO EXT. P5
Exhibit P7	TRUE COPY OF THE RTI-APPLICATION DATED 15-10-2024
Exhibit P8	TRUE COPY OF THE REPLY DATED 12-11-2024 ISSUED BY THE 2ND RESPONDENT TO EXT. P7
Exhibit P9	TRUE COPY OF THE JURY-LIST FOR THE NON-FICTION CATEGORY OF THE KERALA STATE TELEVISION AWARDS, FOR THE YEARS 1998 TO 2021, PROVIDED BY THE 2ND RESPONDENT.
Exhibit P10	TRUE COPY OF THE TABLE OF JURY MEMBERS FOR THE NON-FICTION CATEGORY OF THE KERALA TELEVISION AWARDS FOR THE YEARS 1998 TO 2021, WHO ARE RECIPIENTS OF STATE/NATIONAL AWARDS

CNR : KLHC011013752024



2026:KER:53062

RESPONDENTS' EXHIBITS :

- | | |
|----------------|---|
| Exhibit R2(a) | A TRUE COPY OF THE ORDER DATED 09.02.2024 BEARING GO (R.T) NO. 70/2024/CLAD ISSUED BY THE 1ST RESPONDENT |
| Exhibit R2(b) | A TRUE COPY OF THE ORDER DATED 17.05.2019 ISSUED BY THE CULTURAL WELFARE DEPARTMENT, GOVERNMENT OF KERALA |
| Exhibit R2(c) | A TRUE COPY OF THE ORDER DATED 28.05.2011 BEARING G.O (RT) NO. 3919/11/ I AND PRD |
| Exhibit R2(d) | A TRUE COPY OF THE LETTER DATED 15.07.2017 BEARING NO. KSCA/G/T.V.A-16/2791/2017 SUBMITTED BY THE 1ST PETITIONER IN HIS CAPACITY AS THE SECRETARY OF THE KERALA STATE CHALACHITHRA ACADEMY TO THE SECRETARY, DEPARTMENT OF CULTURAL AFFAIRS, GOVERNMENT OF KERALA |
| Exhibit R2(e) | A TRUE COPY OF THE ORDER DATED 05.10.2017 BEARING G.O (R.T) NO. 574/2017/C.A.D ISSUED BY THE DEPARTMENT OF CULTURAL AFFAIRS, GOVERNMENT OF KERALA |
| Exhibit R2(f) | A TRUE COPY OF THE RELEVANT PAGE OF THE MANORAMA DAILY DATED 10.02.2024 |
| Exhibit R2 (g) | A TRUE COPY OF THE DEGREE CERTIFICATE IN BACHELOR OF THEATRE ARTS (B.T.A) DATED 20.09.1985 ISSUED BY THE UNIVERSITY OF CALICUT TO THE 5TH RESPONDENT IN THE WP (C) . |
| Exhibit R2 (h) | A TRUE COPY OF THE CERTIFICATE DATED 21.04.1990 ISSUED BY THE FILM & TELEVISION INSTITUTE OF INDIA TO THE 5TH RESPONDENT IN THE WP (C) . |
| Exhibit R2 (i) | A TRUE COPY OF THE BERUFLICHE AUS-UND FORTBILDUNG (GERMAN CERTIFICATE OF VOCATIONAL EDUCATION AND FURTHER TRAINING) DATED 03.12.1999 ISSUED BY THE FEDERAL REPUBLIC OF GERMANY TO THE 5TH |

CNR : KLHC011013752024



2026:KER:53062

- RESPONDENT IN THE WP (C) .
- Exhibit R2 (j) A TRUE COPY OF THE CERTIFICATE OF DRISHYA AWARD 2009 DATED 23.05.2009 ISSUED BY THE PRESIDENT OF MALAYALAM TELEVISION VIEWERS ASSOCIATION TO THE 5TH RESPONDENT IN THE WP (C) .
- Exhibit R2 (k) A TRUE COPY OF THE CERTIFICATE OF DOORADARSHAN ANNUAL AWARDS - 2009 ISSUED BY PRASAR BHARATI, BROADCASTING CORPORATION OF INDIA, DATED NIL TO THE 5TH RESPONDENT IN WP (C) .
- Exhibit R2 (l) A TRUE COPY OF THE CERTIFICATE DATED 27.01.2020 ISSUED BY THE DOORDARSHAN KENDRA TO THE 5TH RESPONDENT IN THE WP (C) .
- Exhibit R2 (m) A TRUE COPY OF THE CERTIFICATE DATED 05.09.1984 ISSUED BY THE DEPUTY DIRECTOR OF THE SONG AND DRAMA DIVISION OF THE MINISTRY OF INFORMATION AND BROADCASTING. GOVERNMENT OF KERALA, TO THE 5TH RESPONDENT IN THE WP (C) .
- Exhibit R2 (n) A TRUE COPY OF THE GOVERNMENT OF INDIA CERTIFICATE DATED 30.08.1985 ISSUED BY THE NEHRU YUVAK KENDRA CANNANORE, UNDER THE GOVERNMENT OF INDIA TO THE 5TH RESPONDENT IN WP (C) .
- Exhibit R2 (o) A TRUE COPY OF THE CERTIFICATE DATED 09.03.1987 ISSUED BY THE BY THE DIRECTOR OF SCHOOL OF DRAMA, NEHRU FELLOW, DEEN AND THE FACULTY OF FINE ARTS, UNIVERSITY OF CALICUT TO THE 5TH RESPONDENT IN WP (C) .
- Exhibit R2 (p) A TRUE COPY OF THE E-NEWS PAPER E-TV BHARAT DATED 04.03.2021.
- Exhibit R2 (q) A TRUE COPY OF THE G.O. NO.546/2023/CLAD DATED 13.10.2023 ISSUED BY THE DEPARTMENT OF CULTURAL AFFAIRS, GOVT. OF KERALA.
- Exhibit R2 (r) A TRUE COPY OF THE APPOINTMENT LETTER

CNR : KLHC011013752024



2026:KER:53062

- DATED 7.12.2001 ISSUED BY JEEVAN
TELECASTING CORPORATION LTD. APPOINTING
THE 7TH RESPONDENT IN THE POST OF BUREAU
CHIEF/ DESK CHIEF IN THE SAID
ESTABLISHMENT.
- Exhibit R2 (s) A TRUE COPY OF THE G.O (RT) NO.258/11/I &
PRD, THIRUVANANTHAPURAM, DATED 20.08.2011
ISSUED BY THE INFORMATION AND PUBLIC
RELATIONS (A) DEPARTMENT OF GOVERNMENT OF
KERALA, ALONG WITH A LEGIBLE AND RETYPED
COPY OF THE SAME,
- Exhibit R2 (t) A TRUE COPY OF THE G.O(RT) NO.409/014/I&
PRD, THIRUVANANTHAPURAM, DATED
28.11.2014, ISSUED BY THE INFORMATION AND
PUBLIC RELATIONS (A) DEPARTMENT
- Exhibit R2 (u) A TRUE COPY OF THE G.O (RT)
NO.322/2016/I& PRD, THIRUVANANTHAPURAM
DATED 05.08.2016 ISSUED BY THE
INFORMATION AND PUBLIC RELATIONS
(A)DEPARTMENT, GOVERNMENT OF KERALA.
- Exhibit R2 (v) A TRUE COPY OF THE G.O (RT)
NO.3072/2021/I& PRD, THIRUVANANTHAPURAM
DATED 16.08.2021 ISSUED BY THE PUBIC
ADMINISTRATION (SPECIAL-E) DEPARTMENT,
GOVERNMENT OF KERALA.
- Exhibit R2 (w) A TRUE COPY OF THE G.O NO.3/2012/I&PRD
DATED 06.03.2012 ISSUED BY THE
INFORMATION AND PUBLIC RELATIONS (A)
DEPARTMENT, THE GOVERNMENT OF KERALA.
- Exhibit R2 (x) A TRUE COPY OF THE CERTIFICATE OF MERIT
DATED 17.05.1996 ISSUED BY THE
DOORDARSHAN KENDRA TO THE 7TH RESPONDENT
IN THE WP (C) .
- Exhibit R2 (y) A TRUE COPY OF THE CERTIFICATE DATED
18.01.2017 ISSUED BY THE UNIVERSITY OF
KERALA TO THE 7TH RESPONDENT IN THE WP
(C) .
- Exhibit R2 (z) A TRUE COPY OF THE CERTIFICATE ISSUED BY

CNR : KLHC011013752024



2026:KER:53062

- THE CENTRE FOR PERFORMANCE AND FOLKLORE
DATED NIL TO THE 15TH RESPONDENT IN THE
WP (C) .
- Exhibit R2 (aa) A TRUE COPY OF THE CERTIFICATE DATED
08.05.2015 ISSUED BY THE AMRUTHA VISWA
VIDHYAPEEDAM UNIVERSITY TO THE 15TH
RESPONDENT.
- Exhibit R2 (ab) A TRUE COPY OF THE CERTIFICATE OF MERIT
DATED NIL ISSUED TO THE 15TH RESPONDENT
BY SHYAMA PRASAD.
- Exhibit R2 (ac) A TRUE COPY OF THE CERTIFICATE DATED NIL
ISSUED BY FOLKLORE SOCIETY OF SOUTH
INDIAN LANGUAGES TO 15TH RESPONDENT IN
THE WP (C) .
- Exhibit R2 (ad) A TRUE COPY OF THE CERTIFICATE ISSUED BY
AMRUTHA TELEVISION DATED 24.03.2011 TO
THE 15TH RESPONDENT IN THE WP (C) .
- Exhibit R2 (ae) A TRUE COPY OF THE CERTIFICATE DATED
09.10.1997 ISSUED BY THE SCHOOL OF DRAMA
CALICUT TO THE 15TH RESPONDENT IN WP (C) .
- Exhibit R2 (af) A TRUE COPY OF THE CERTIFICATE DATED NIL
ISSUED BY THE GOVERNMENT OF KERALA,
DEPARTMENT OF CULTURAL PUBLICATIONS TO
THE 15TH RESPONDENT IN THE WP (C) .
- Exhibit R2 (ag) A TRUE COPY OF THE CERTIFICATE DATED NIL
ISSUED BY THE CENTRE FOR FOLKLORE STUDIES
IN UNIVERSITY OF CALICUT TO THE 15TH
RESPONDENT IN THE WP (C)
- Exhibit R2 (ah) A TRUE COPY OF THE CERTIFICATE DATED
09.06.2000 ISSUED BY THE NETWORK
TELEVISION TO THE 16TH RESPONDENT IN THE
WP (C) .
- Exhibit R2 (ai) A TRUE COPY OF THE LETTER DATED
31.01.2006 ISSUED BY INDIAVISION
SATELLITE COMMUNICATIONS LTD. TO THE 16TH
RESPONDENT IN THE WP (C) .
- Exhibit R2 (aj) A TRUE COPY OF THE LETTER DATED
04.04.2007 ISSUED BY THE DIRECTOR OF

CNR : KLHC011013752024



2026:KER:53062

	MANORAMA NEWS TO THE 16TH RESPONDENT IN THE WP (C)
Exhibit R2 (ak)	A TRUE COPY OF THE CERTIFICATE DATED 27.08.2019 ISSUED BY MM TV TO THE 16TH RESPONDENT IN WP (C)
Exhibit R2 (al)	A TRUE COPY OF THE COMMON CERTIFICATE DATED 14.02.2012 ISSUED BY THE CENTRE FOR DEVELOPMENT OF IMAGING TECHNOLOGY, AN AUTONOMOUS CENTRE UNDER THE GOVT OF KERALA TO THE 17TH RESPONDENT IN WP (C).
Exhibit R2 (am)	A TRUE COPY OF THE DEESHABIMANI NEWSPAPER DATED 09.10.2007 CONTAINING THE ARTICLE 'STHREE'.
Exhibit R2 (an)	A TRUE COPY OF THE SCREENSHOT OF THE REVIEW APPEARED IN THE HINDU NEWSPAPER DATED 09.08.2018 REGARDING THE PERFORMANCE OF RESPONDENT NO.17 IN WP (C).
Exhibit R2 (ao)	A TRUE COPY OF THE CERTIFICATE DATED 13/02/1987 ISSUED BY THE SECRETARY AND CHAIRMAN OF KERALA SANGEETHA NATAKA ACADEMY.
Exhibit R2 (ap)	A TRUE COPY OF THE CERTIFICATE DATED 11.03.1987 ISSUED BY FR. PAUL AKKARA, CMI DIRECTOR 'JEMS' DEVAMATHA PROVINCIAL HOUSE PATTURAIKKAL, THRISSUR
Exhibit R8 (a)	A TRUE COPY OF THE CERTIFICATE DATED 06.09.2022 ISSUED BY THE MILAN GOLD AWARDS CONFERRING SILVER AWARD TO THE DOCUMENTARY 'LOST IN TRANSIT'
Exhibit R10 (a)	A TRUE COPY OF THE DOORDARSHAN ANNUAL AWARDS 2003 FOR THE BEST ENTRY IN AGRICULTURE CATEGORY AWARD
Exhibit R10 (b)	A TRUE COPY OF THE KERALA STATE TOURISM AWARDS 2004-2005 FOR THE BEST TOURISM RELATED DOCUMENTARY, AWARD
Exhibit R10 (c)	A TRUE COPY OF THE KERALA STATE TELEVISION AWARDS 2011 FOR THE BEST

CNR : KLHC011013752024



2026:KER:53062

- EDUCATIONAL PROGRAMME, AWARD
- Exhibit R10(d) A TRUE COPY OF THE MEDIA AWARD 2017, UNDER THE CATEGORY TELEVISION - DOCUMENTARY, AWARD BY THE DIARY DEVELOPMENT DEPARTMENT, GOVERNMENT OF KERALA
- Exhibit R10(e) A TRUE COPY OF THE AWARD, UNDER THE CATEGORY BEST ENTRY FOR AGRICULTURE, AWARDED BY THE PRASAR BHARATHI, DIRECTORATE GENERAL, DOORDARSHAN FOR THE YEAR 2018.
- Exhibit R13(a) A TRUE DIGITAL COPY OF THE PHOTO OF THE SAID SCULPTURE
- Exhibit R13(b) A TRUE DIGITAL COPY OF THE CERTIFICATE OF AWARD ISSUED BY THE KERALA STATE TELEVISION AWARD 2006 SIGNED BY MINISTER FOR CULTURAL AFFAIRS, GOVERNMENT OF KERALA, JURY-CHAIRMAN NON-FICTION AND CHAIRMAN CHALACHITRA ACADEMY