



2026:KER:56224

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS
MONDAY, THE 27TH DAY OF JULY 2026 / 5TH SRAVANA, 1948
WP(C) NO. 2346 OF 2026

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

BY ADVS.
SHRI. KURIAN GEORGE KANNANTHANAM (SR.)
SHRI.TONY GEORGE KANNANTHANAM
SRI.THOMAS GEORGE
SHRI.EBEE ANTONY
SHRI.AJITH GEORGE KOOLA
SHRI.SIVASHANKAR PANICKER

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 *Addtnl R9 SIBICHAN SEBASTIAN
S/O SEBASTIAN,
URULICHALIL HOUSE,
KANNAMPILLIL ROAD,
PACHALAM, COCHIN,
KANAYANNOOR TALUK,
ERNAKULAM VILLAGE, ERNAKULAM
*[IS IMPEADED AS ADDITIONAL R9 AS PER THE ORDER
DATED 24/02/2026 IN I.A NO 1/26 IN WPC 2346/2026]
- 10 **Addtnl 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
- 11 **Addtnl R11: P.A. JOSHI
S/O ANTONY,
RESIDING AT PERUMPILLY HOUSE,
KANAYANNUR TALUK,
ELAMKULAM VILLAGE,
ERNAKULAM -682017
**[ADDITIONAL R10 & ADDITIONAL R11 ARE IMPEADED AS
PER THE ORDER DATED 2/3/2026 IN I.A.NO.2/2026 IN



WP(C)2346/2026}

- 12 ***Addtnl R12: P.S. JAMES
PRESENTLY RESIDING AT, PUTHENPARAMBIL, 46/100 3A,
VADUTHALA P.O., KOCHI, PINCODE-682023**
- 13 ***Addtnl R13:SABU PULLAN
PRESENTLY RESIDING AT, VLRA 15, PUTHIYA ROAD, LFC
VIA, KALOOR ,PIN CODE-682017 ADDITIONAL R12 AND
***[ADDITIONAL R12 & R13 ARE IMPEADED AS PER THE
ORDER DATED 2/3/2026 IN I.A.NO.2/2026 IN
WP(C)2346/2026]**

BY ADVS.

**SHRI.JOY GEORGE
SRI.P.G.JAYASHANKAR
SHRI.MOHAN IDICULLA ABRAHAM
SHRI.SHINTO MATHEW ABRAHAM
SHRI.P.JAYABAL MENON
SRI.A.BALAGOPALAN
SHRI.TONY GEORGE THOMAS
SHRI.S.RANJIT (K/250/1999)
SHRI.JISSMON A KURIAKOSE
SMT.ANITHA MATHAI MUTHIRENTHY
SRI.ABILASH THOMAS
SMT.PUSHPAVATHI.K
SHRI.S.RAJEEV (K/001711/2019)
SMT.SAJANA V.H
SHRI.SHAIJU GEORGE
SMT.SANDRA DAVIS
SMT.BINCY JOSE
SHRI.ADHITHYAN P.V.
SHRI.MARTIN D.ALUMKARA
SMT.ASWATHY ROY
SMT.SHYAMILIPRIYA P.P.
SHRI.JEEVAN J. MATHEW
SRI.RACHEL JOSEPH
SMT.NIKHITHA T.S.
SMT.PRAICY JOSEPH
SMT.TANYA JOY
SMT.GOURI SURESH
SMT.KARTHIKA MARIA
SRI.ARUN THOMAS
SRI.ANIL SEBASTIAN PULICKEL
SMT.VEENA RAVEENDRAN
SHRI.MATHEW NEVIN THOMAS
SHRI.KURIAN ANTONY MATHEW**

W.P(C) No.2346 of 2026

-:4:-



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SHRI.NOEL NINAN NINAN
SMT.APARNNA S.
SHRI.ADEEN NAZAR
SHRI.ARUN JOSEPH MATHEW
SHRI.ROHAN MATHEW
SMT.LEAH RACHEL NINAN
SMT.REKHA AGARWAL
SHRI.A.RAJAGOPALAN
SHRI.M.N.MANMADAN
SRI.M.S.IMTHIYAZ AHAMMED
SMT.P.SEENA
SMT.GOURI BALAGOPAL
SMT.ARYA K.K.
SRI.GOKUL DAS V.V.H.
SRI.ABHILASH BHASKAR
SMT.DIVYA KRISHNAN
SMT.K.ARUNDHATHI
SHRI.SIDHARTHAN M.T.
SRI.VIPIN P.VARGHESE

OTHER PRESENT

SMT. LAYA MARY JOSEPH,
GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 27.07.2026, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:



BECHU KURIAN THOMAS, J.

W.P(C) No.2346 of 2026

Dated this the 27th day of July, 2026

JUDGMENT

Petitioner seeks the following relief;

“To issue a writ of mandamus or other appropriate order or direction to direct respondents 2 to 4 to enforce the obligation cast upon them under S.38(1) of the Police Act by stopping the ongoing offence of criminal trespass committed by respondents 5 to 7 and people under them, inside the st. Mary’s Cathedral Basilica, Broadway, Ernakulam, immediately.”

2. When the writ petition was taken up for consideration, this Court felt it appropriate to refer the parties to mediation. With the consent of all the parties, as per an order dated 02.03.2026, retired Justice T. R. Ramachandran Nair, a former Judge of this Court, was appointed as the Mediator.

3. Despite the Mediator attempting mediation between the parties on several dates, a report has been submitted, the concluding paragraph of which reads as follows;

“In view of the above stand taken by the petitioner, it is submitted that a consensus and agreement to resolve the disputes between the parties and a mutually acceptable amicable settlement has become difficult. The mediation talks have failed to achieve an acceptable formula for resolving the disputes between the parties herein.”



4. It is evident that the mediation talks failed to achieve an acceptable formula for resolving the disputes between the parties herein.

5. When the writ petition came up for consideration today, the learned Senior Counsel instructed on behalf of the petitioner, submitted that a memo has been filed stating that the writ petition may be closed as infructuous, as no further relief is being sought for by the petitioner.

6. However, the learned counsel for the 8th respondent submitted that various disputes are pending consideration before the Civil Court and that such disputes may not be affected by the closure of the writ petition.

7. Since the petitioner, who is the master of the lis, has submitted that the prayer sought for in this writ petition has become infructuous and that no further relief is required, obviously, the writ petition has to be dismissed as infructuous. At the same time, the disputes pending between the parties before any Civil Court will obviously not be affected by the dismissal of this writ petition or by the observation that the writ petition has become infructuous.

Accordingly, this writ petition is dismissed as infructuous, without prejudice to the right of the parties to agitate any dispute pending before the Civil Court in appropriate proceedings.

Sd/-
BECHU KURIAN THOMAS
JUDGE



APPENDIX OF WP(C) NO. 2346 OF 2026

PETITIONER'S EXHIBITS

- | | |
|-------------------|---|
| Exhibit-P1 | TRUE COPY OF THE ORDER NO.0022/2025 DATED 11-1-2025 OF MAR RAPHAEL THATTIL, MAJOR ARCHBISHOP OF THE SYRO-MALABAR CHURCH. |
| Exhibit-P2 | TRUE COPY OF THE COMPLAINT DATED 10-12-2025 ADDRESSED TO THE STATION HOUSE OFFICER |
| Exhibit-P3 | TRUE COPY OF THE COMPLAINT DATED 21-12-2025 TO THE COMMISSIONER OF POLICE, ERNAKULAM |
| Exhibit-P4 | TRUE COPY OF THE MASS COMPLAINT DATED 27-12-2025 RECEIVED BY THE PETITIONER |
| Exhibit-P5 | TRUE COPY OF THE COMPLAINT DATED 31-12-2025 TO THE COMMISSIONER OF POLICE, ERNAKULAM |
| Exhibit-P6 | TRUE COPY OF THE LETTER DATED NIL. FROM THE DEPUTY COMMISSIONER OF POLICE |
| Exhibit-P7 | TRUE COPY OF THE INTERIM ORDER DATED 19-12-2025 IN W.P© NO. 44999 OF 2025 OF THIS HON. COURT. |
| Exhibit-P8 | TRUE COPY OF THE JUDGMENT DATED 23-12-2025 IN W.P© 44999/25 OF THIS HON. COURT, |