

THURSDAY, THE 3<sup>RD</sup> DAY OF SEPTEMBER 2026  
WP(C) No. 16603 of 2026

THE HIGH COURT LEGAL SERVICES COMMITTEE & ANOTHER

VS

THE STATE OF KERALA & OTHERS

**ADVS FOR PETITIONER/S:**

X, SUO MOTU (Party-in-person)

**ADVS FOR RESPONDENT/S:**

GOVERNMENT PLEADER, SHRI.ASP.KURUP, SRI.SUNIL SHANKAR, SC, INDIAN OVERSEAS BANK, SPECIAL GOVERNMENT PLEADER, SHRI.LITTO VARGHESE PALATHINKAL, SMT.THANUJA ROSHAN, DR.S.GOPAKUMARAN NAIR (SR.), SRI.ABRAHAM GEORGE JACOB, SMT.ATHIRA A.MENON, SRI.ISAAC THOMAS, KUM.S.KRISHNA, SRI.N.ASHOK KUMAR, SRI.LIJI.J.VADAKEDOM, SRI.K.ANAND, SRI.SONU AUGUSTINE, SHRI.N.MANOJ KUMAR, STATE ATTORNEY, SHRI.K.R.RANJITH, GOVERNMENT PLEADER WITH STATE ATTORNEY, O.M.SHALINA, DEPUTY SOLICITOR GENERAL OF INDIA, SHRI.C.MURALIKRISHNAN (PAYYANUR), SHRI.AKSHAY R, SMT.N.N.GIRIJA, SHRI.SHARAD JOSEPH KODANTHARA, SHRI.ALEXANDER JOSEPH MARKOS, SRI.P.G.CHANDAPILLAI ABRAHAM, SMT.MARIAMMA GEORGE MARANGOLY, SHRI.S.PRASANTH, SRI.SOORAJ T.ELENJICKAL, SRI.K.ARJUN VENUGOPAL, SHRI.ASWIN KUMAR M J, SHRI.ARUN ROY, SHRI.SUVIN R.MENON, SENIOR PANEL COUNSEL, SRI.SADCHITH.P.KURUP, SHRI.SUNIL SHANKER, SMT.ASHLIN SAJU

**DEVAN RAMACHANDRAN & BASANT BALAJI, JJ.**

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**W.P.(C) No.16603 of 2026**  
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Dated this the 3<sup>rd</sup> day of September, 2026

**ORDER**

**PART B**

**Devan Ramachandran, J**

Read orders dated 21.07.2026, 29.07.2026 and 18.08.2026.

2. The afore orders were issued by us, after we have visited the Centres at Thiruvananthapuram, Thrissur and Kozhikode respectively.

3. We have spoken our mind and have recorded our concerns in them.

4. The Advocate General – Sri.K.Jaju Babu, instructed by Smt.Remma, learned Special Government Pleader, addressed us today in great detail.

5. We must say with satisfaction and pleasure that the learned Advocate General has informed us that the State has taken the decision to rename the Centres as being “Happiness and Wellness Centres”. He adds that this is pursuant to our order in I.A No.25 of 2026 in W.P.(C) No.16603 of 2026 dated 21.08.2026.

6. This is certainly a welcome step, but only the first of the several necessary to follow.

7. The stigmatisation of patients, their bystanders and the Centres as a whole, is something that we cannot be oblivious to. Even the places where the Centres are functioning are, very often, referred to rather pejoratively. We are sure

that the change of name will catalyse the change that we want to see.

8. The concerns we have recorded in the afore three orders are several and the learned Advocate General tells us that the Government is looking into it with full sincerity. He added that the resolve of the Government aligns with the requisites of a welfare State; and that no stone will be unturned to ensure that these Centres are made worthy of human existence and treatment, within the shortest period of time, notwithstanding lack of resources.

9. We are aware that some of the issues will require time, as also large investment.

10. However, when it comes to violations of human rights - happening unintentionally, but solely on account of lack of facilities - the situation is wholly different. Such violations, when against even the Constitutional rights, require the State, as we have said in our earlier orders, to sit up and remedy immediately.

11. To reiterate, excuse of lack of resources can never ever be countenanced, when our fellow citizens are languishing in prison-like and cage-like facilities.

12. For the first, we believe that four aspects will have to be addressed by the State forthwith, namely:

(a) Appointment of sufficient numbers of Attenders, Cooks, Dhobis, Security Personnel among others in all the Centres.

(b) The construction of the compound walls, so as to make the perimeters of the Centres secure.

(c) The uninterrupted and continuous availability of necessary medicines, both for mental health as also for physical health, as requisitioned by the

Superintendents and doctors of the hospitals.

(d) The availability of at least one or two vehicles, preferably electric vehicles, within the Centres for the transportation of food from the kitchens and for other ancillary purpose.

13. We have identified the afore four as the first stage, which requires immediate response because, by having sufficient number of personnel, with the perimeter secured, the patients can be allowed to be free in the open areas, without the fear of them being lost or even escaping. The territory under the Centres are relatively large and can be transformed into gardens, where even others can come and visit. In fact, at Kozhikode, we saw that a garden area of more than 2 acres has been left totally decrepit, though we were assured by the District Collector that she would personally take it up and restore. We are yet to hear from the Government on this; but are sure that the learned Advocate General will inform us in due course.

14. To paraphrase, it is the absence of adequate number of personnel and proper security across the perimeter, that force the medical officers and the nurses to keep the patients in confined areas. This has to be rectified immediately.

15. The learned Advocate General requested that he be given a week's time to look into the afore issues; but assuring us that every other concern recorded in the afore referred orders, would be incisively evaluated and answered, without any avoidable delay.

16. We have already fixed time frames in the afore referred orders for the response of the Government; and cannot permit any delay, since, as said above,

the continued violation of human rights would reduce the civilized community and nation to shame.

Post on 15.09.2026.

**Sd/-**

**DEVAN RAMACHANDRAN  
JUDGE**

**Sd/-**

**BASANT BALAJI  
JUDGE**

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