

THURSDAY, THE 10TH DAY OF SEPTEMBER 2026

WP(C) No. 32680 of 2008

C.P.AJITHKUMAR

VS

STATE OF KERALA,

ADVS FOR PETITIONER/S:

SRI.TOM K.THOMAS

ADVS FOR RESPONDENT/S:

GOVERNMENT PLEADER, SRI.BENHUR JOSEPH MANAYANI,
SRI.S.KRISHNAMOORTHY CGC, SRI.JOHNSON MANAYANI, SHRI.JOMY GEORGE,
SRI.JEEVAN MATHEW MANAYANI, SRI.SEBASTIAN THOMAS, SRI.C.M.SURESH
BABUSCCOCHIN CORPORATI, SRI.M.K.THANKAPPANSCGCDAGREATER COCH,
SRI.THOMAS ANTONY, SHRI.LEJO JOSEPH GEORGE, SRI. B.ARUNKUMAR,
STANDING COUNSEL , SRI.R.REJI, SMT.SREEJA SOHAN K., S.KRISHNA
(AMICUS CURIAE), S.VINOD BHAT (AMICUS CURIAE), P.DEEPAK (AMICUS
CURIAE), SRI.K.V.KURIAKOSE, SHRI.LIJO JOSEPH

DEVAN RAMACHANDRAN, J.

WP(C)No.32680/2008

Dated this the 10th day of September, 2026

O R D E R

Sri.Vinod Bhat and Smt.S.Krishna - learned Amici Curiae, today pointed out several issues relating to the footpaths and street lighting of the city, highlighting the “PNVM junction” and other specified places.

2. The learned Amici Curiae then brought to my notice a matter of grave importance, referring to orders of this Court dated 14.08.2025 and 29.07.2025 - which had recorded the steps taken by the Police to curb reckless and dangerous traffic in the city, particularly by heavy vehicles. They complained that the Authorities do not seem to be implementing such measures, even after having filed the report before this Court dated 29.07.2025; and pointed out to an incident recently, where travellers in a car were accosted by a person stated to be working in a private bus.

3. Sri.K.Anand – learned standing counsel for the Corporation of Kochi, requested that this Court issue no orders today and grant his client two weeks to address the issues relating to footpaths and street lighting; and assured that the points specifically referred to by the learned Amici Curiae will be looked into and corrected.

4. Sri.Manu Thomas – learned Government Pleader, affirmed that a report had been filed by the Assistant Commissioner of

Police, Traffic, on 29.07.2025, in which it is averred that steps to control the reckless traffic in the city, particularly by heavy vehicles, would be done on a continuous basis. He also conceded that the report states that the drivers and employees of private buses would be subjected to police verification and issued character certificates.

5. As regards the incident the learned Amici Curiae has informed this Court, Sri.Manu Thomas submitted that the person in question has been taken into custody and necessary action taken.

6. We live in a time when the right to use roads and pedestrian paths is fundamental in nature; and hence road safety becomes inviolably imperative.

7. When the competent Authority of the Police had already assured this Court, through the report dated 29.07.2025, that steps would be taken to make our road, safe and when this Court has recorded the same, it becomes incumbent upon them to ensure that they are implemented in its letter and spirit.

8. The learned Amici Curiae says that, however, the situation is as bad as it was earlier, without any tangible change, at least with respect to the reckless driving and violation of road regulations.

9. It is internationally recognised that the priority on roads, is highest with pedestrians, then to vehicles from the smallest vehicle to the largest. It is hence unnecessary to say that heavy vehicles and private buses are to conduct themselves very carefully, ensuring that the other users - including pedestrians, cyclists, two-wheelers etc. - are not in any manner put to harm.

10. Sri.Manu Thomas – learned Government Pleader, at this time, submitted that the afore issues, as also the report of the Police dated 29.07.2025, will be adverted to by the competent Police Authorities, in consultation with the officers of the Motor Vehicles Department; leading to necessary and stringent steps, to make the roads safe. He sought some time, saying that the report of such steps will be filed by the next posting date.

11. Though I accede to the request of Sri.Manu Thomas, I must record that this Court is unhappy that, in spite of assurances and steps mentioned and recorded in orders, road safety is still not given its due importance – particularly at zebra crossings, pedestrian areas and other points of density.

12. Consequently, this matter will stand adjourned to 24.09.2026 for the Corporation to respond to the concerns voiced by the learned Amicus Curiae with respect to the specific issues in the city; while the Commissioner of Police, Kochi, will advert to the aspects mentioned above regarding road safety and file a report – as undertaken by Sri.Manu Thomas – as to the steps taken and the measures continued and to be pursued.

13. At this time, the learned Amici Curiae invited attention to the extreme bad condition of the stretch between Edappally and Chavakkad, which they said is presently under the control of the National Highways Authority of India (NHAI), who are in the process of re-constructing the highway.

14. The learned Standing Counsel for NHAI will, therefore, obtain specific instructions in this matter and address this Court on the next posting date.

Post on 24.09.2026.

H/o

Sd/ -

DEVAN RAMACHANDRAN

JUDGE

stu/RR