

**IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE THE CHIEF JUSTICE MR. SOUMEN SEN
&
THE HONOURABLE MR. JUSTICE SYAM KUMAR V.M.**

**Wednesday, the 14th day of October 2026 / 22nd Aswina, 1948
WP(C) NO. 42844 OF 2025(R)**

**SUO MOTU WRIT PETITION (CIVIL) INITIATED BY THE HIGH COURT
REGARDING LACK OF PROPER INFRASTRUCTURE IN THE MEDIATION
CENTRES ACROSS THE STATE.**

RESPONDENTS:

1. STATE OF KERALA, REPRESENTED BY THE CHIEF SECRETARY, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695 001.
2. THE ADDITIONAL CHIEF SECRETARY, HOME DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695 001.
3. UNION OF INDIA, REPRESENTED BY THE SECRETARY, MINISTRY OF LAW & JUSTICE, 4TH FLOOR, A-WING, SHASTRI BHAWAN, NEW DELHI - 110 001.
4. THE LAW SECRETARY, LAW DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695 001.
5. THE REGISTRAR (DISTRICT JUDICIARY), HIGH COURT OF KERALA, MARINE DRIVE, ERNAKULAM - 682 031.
6. THE MEMBER SECRETARY, KERALA STATE LEGAL SERVICES AUTHORITY, NIYAMA SAHAYA BHAVAN, OPPOSITE ADVOCATE GENERAL OFFICE, KOCHI, PIN - 682 031.
7. THE DIRECTOR, KERALA STATE MEDIATION AND CONCILIATION CENTRE, RAM MOHAN PALACE, HIGH COURT OF KERALA, KOCHI, PIN - 682 031.

Suo motu writ petition (civil) praying that in the circumstances stated in the affidavit filed along with the WP(C) the High Court be pleased to issue necessary directions to the Government and other authorities concerned to provide the infrastructural requirements of each mediation sub centre as listed in Ext P3 as well as to ensure adequate support staff and regular office stationary.

This petition coming again on for orders upon perusing the petition and the affidavit filed in support of WP(C), this Court's order dated 30/09/2026 and upon hearing the arguments of advocates along with SRI.ADARSH KUMAR, AMICUS CURIAE, the court passed the following:

P.T.O.

WEDNESDAY, THE 14TH DAY OF OCTOBER 2026

WP(C) No. 42844 of 2025

SUO MOTU PROCEEDINGS INITIATED BY THE HIGH COURT

VS

STATE OF KERALA REPRESENTED BY THE CHIEF SECRETARY & OTHERS

PARTY-IN-PERSON FOR PETITIONER/S:

SUO MOTU PROCEEDINGS INITIATED BY THE HIGH COURT

ADVS FOR RESPONDENT/S:

GOVERNMENT PLEADER, SMT.SHIBI.K.P., SHRI.LEO LUKOSE,
SMT.NAYANPALLY RAMOLA, O.M.SHALINA, DEPUTY SOLICITOR
GENERAL OF INDIA, SHRI.N.MANOJ KUMAR, STATE ATTORNEY



W.P.(C)No. 42844 of 2025

-2-

SOUMEN SEN, C.J.

&

SYAM KUMAR V.M., J.

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W.P. (C) No. 42844 of 2025

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Dated this the 14th day of October 2026

Appearance:

For the Respondent : Mr. Leo Lukose for R6
: Ms. Nayanpally Ramola for R7
: Ms. O.A. Nuriya, Sr. GP

SOUMEN SEN, C.J.

ORDER

The status report regarding the Victim Compensation Scheme submitted by the Member Secretary, Kerala State Legal Services Authority (KeLSA), is taken on record. It appears that there has been some procedural delay in disbursing the compensation. The Member Secretary shall henceforth ensure that victim compensation is disbursed in a timely manner. Appropriate directions shall be issued to the Secretaries of the District Legal Services Authorities (DLSAs)

W.P.(C)No. 42844 of 2025

-3-

concerned to ensure that there is no delay in processing and disbursing victim compensation in future.

2. The Secretaries of the DLSAs are directed to collect all requisite documents from the victims at the time of adjudication itself, so as to obviate any further delay in processing and disbursing victim compensation.

3. The Member Secretary, KeLSA, is directed to review the status of disbursement with the respective DLSAs on a weekly basis. A report in this regard shall be filed on the adjourned date. All pending disbursements towards victim compensation shall be completed peremptorily within three weeks from date.

4. It is reported that claims for victim compensation amounting to Rs.9,73,85,000/- in 225 cases arising up to July 2026 have been pending before the Additional Chief Secretary, Home Department, since 16th September 2026. The State Government is directed to release the aforesaid amount, preferably within five weeks from date.

W.P.(C)No. 42844 of 2025

-4-

5. As regards the honorarium payable to mediators, the State Government has issued G.O. (Rt.) No. 1089/2026/LAW dated 30th September 2026, revising the rates of honorarium payable to mediators of the Kerala State Mediation and Conciliation Centre with effect from 1st April 2026, as follows:

Sl No.	Nature of Case	Revised Rate
1	On Settlement through mediation	Rs.4500/- per case
2	Connected matters	Rs. 750/- per case subject to a maximum of Rs. 1500/- (regardless of the number of connected cases)
3	In case of no settlement (in case the party fail to arrive at amicable settlement despite three effective hearings)	Rs.1500/-

6. The learned counsel for KeLSA submits that the revised rates fall short of those recommended by the Board of Governors on 7th January 2022. The State Government is directed to release the honorarium at the revised rates notified in G.O. (Rt.) No. 1089/2026/LAW dated 30th September 2026 and to reconsider the proposal concerning

W.P.(C)No. 42844 of 2025

-5-

the rates recommended by the Board of Governors on 7th January 2022.

7. The Member Secretary, KeLSA, is directed to submit a statement to the Secretary, Finance Department, specifying the differential amount payable towards the honorarium of mediators pursuant to the Government Order dated 30th September 2026. The Finance Department shall release the said differential amount at the earliest. The Member Secretary, KeLSA, shall also file an affidavit reporting the disbursement of honorarium to the mediators and victim compensation.

8. The Secretaries of the DLSAs are directed to furnish all necessary information to the Member Secretary, KeLSA, to enable him to file the affidavit in compliance with this order.

9. The Member Secretary, KeLSA, and the State Government are directed to file their respective affidavits setting out the steps taken to recover the amounts paid towards victim compensation. The affidavits shall also identify the cases in which recovery of victim compensation

W.P.(C)No. 42844 of 2025

-6-

has been delayed due to an order of stay or the pendency of proceedings.

Post on 2nd December 2026 along with connected cases.

Sd/-
SOUMEN SEN
CHIEF JUSTICE

Sd/-
SYAM KUMAR V.M.
JUDGE

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