

# CHRONICLES HIGH COURT OF KERALA



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### From the Desk of the Chief Justice

“

A throwback to yesterday brings not only good memories but also a wealth of experience, especially for us, the members of the legal fraternity, for 'the life of the law has not been logic, but experience'. The year 2023 has taken the Kerala High Court to greater heights and glory at the National level. This chronicle is a reminiscence of those moments of pride, celebration and tribute. As we usher in the promise of a new year, let us reflect on the resilience and the enduring spirit of justice. Let our commitment to uphold the rule of law be unwavering, ensuring that justice is not just a concept but a lived reality for every citizen. Together, let us strive for a judicial system that is efficient, transparent, and accessible to all. Wishing you a year filled with legal triumphs, personal growth, and the fulfilment of our shared commitment to justice.

”

Justice Ashish Jitendra Desai



## HIGH COURT OF KERALA

### DOWN MEMORY LANE



The State of Kerala was formed by the conglomeration of three distinct regions : the states of Travancore and Cochin, and the Malabar District of the Madras Presidency in British India. The territories of the independent princely States, Travancore and Cochin were ruled by the Maharajas of Travancore and Cochin and had separate judicial systems with independent High Courts. In 1949, these states were integrated to form the Travancore-Cochin State, which was subsequently merged with the Union of India. The Maharaja of Travancore became the Rajapramukh over the newly integrated State. On July 7, 1949, the High Courts of Travancore and Cochin were also integrated to form the High Court of Travancore-Cochin.

Following the States Reorganisation Act of 1956, the State of Kerala was formed. At the time of unification, a solemn covenant was made to have the seat of the High Court at Cochin in lieu of the establishment of the administrative secretariat at Travancore.

The High Court of Kerala started functioning in the Ram Mohan Palace, overlooking the picturesque island of Bolgatty across the backwaters. The palace was constructed in 1938 by the Maharaja of Cochin, during the visit of the Viceroy (Lord Linlithgow). The palace has served as a military hospital during World War II and later housed the Cochin Secretariat until 1949 when it was handed over to the Travancore-Cochin High Court.





HIGH COURT OF KERALA

# CHRONICLES

3rd January 2024

## HIGH COURT OF KERALA

On November 5, 1956, the High Court of Kerala came into existence, with the territorial jurisdiction extending to the entire State of Kerala and the Union Territory of Lakshadweep. A total of 3409 cases were transferred from the Travancore-Cochin High Court and 1504 cases were transferred from the High Court of Madras. Hon'ble Mr. Justice K.T. Koshi became the first Chief Justice of the High Court. The table at which the advocates used to sit in the Chief Justices' Court came from the High Court of Cochin, the panel behind the Judges in that Court, inscribed with the words FIAT JUSTITIA RUAT COELUM, came from the High Court of Travancore and the maces that were carried before the Judges were patterned from the High Court Madras, symbolizing continuity.

On 11.02.2006, the High Court was shifted to the new building adjacent to the Ram Mohan Palace, making it the tallest High Court in the country. The new building, situated on 5 acres of land, has a built-up area of 550,000 square feet spread over nine floors. It has 36 court halls, 44 judges' chambers, libraries, auditoriums, rooms for advocates and clerks, a post office, a bank, a medical clinic and ambulance service, a fire-fighting unit, a creche, canteens, and other facilities. The High Court is equipped with all the modern amenities and infrastructure aligned with technological advancements. Currently, the High Court of Kerala has 36 Judges and 2068 staff, with Hon'ble Mr. Justice Ashish Jitendra Desai serving as its Chief Justice.





## HIGH COURT OF KERALA

### THE YEAR THAT WAS-2023 SALUTATIONS AND FAREWELLS



Retirement of  
Hon.Chief Justice Mr.S.Manikumar on 23.04.2023



Swearing in Ceremony of  
Hon.Chief Justice Mr.S.V. Bhatti on 01.06.2023



Farewell reference to  
Hon.Chief Justice Mr.S.V.Bhatti  
on 13.07.2023



Swearing in Ceremony of  
Hon.Chief Justice Mr.Ashish Jitendra Desai  
on 22.07.2023



Farewell reference to  
Hon. Justice Mr. K. Vinod Chandran  
on 27.03.2023



Farewell reference to  
Hon. Justice Mr. Shaji P. Chaly  
on 26.05.2023



Farewell reference to Hon. Justice Mrs.M.R.Anita  
on 30.05.2023



Farewell reference to Hon. Justice Mr. Alexander Thomas  
on 25.08.2023



## HIGH COURT OF KERALA

### THE YEAR THAT WAS-2023 SALUTATIONS AND FAREWELLS



Swearing in Ceremony of Hon. Mr. Justice Dinesh Kumar Singh on 21.07.2023



Swearing in Ceremony of Hon. Mr. Justice Johnson John, Hon. Mr. Justice Gopinathan Unnithan Girish and Hon. Mr. Justice Chellappan Nadar Pratheep Kumar as Additional Judges of the High Court of Kerala on 25.10.2023



## HIGH COURT OF KERALA

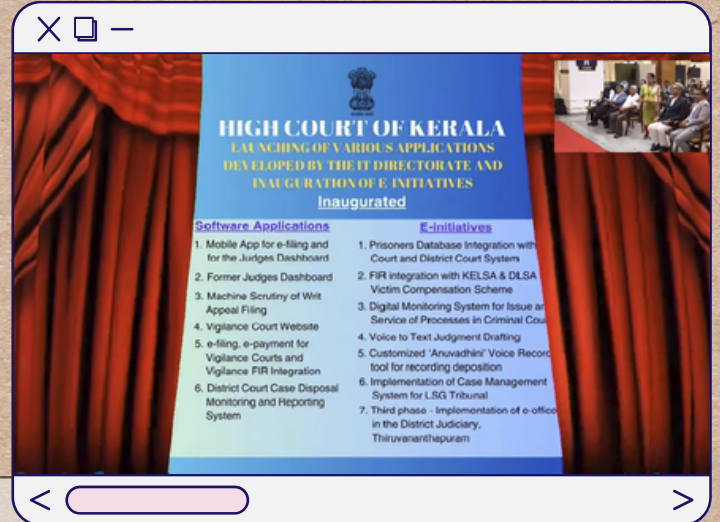
### THE YEAR THAT WAS-2023 E-INITIATIVES



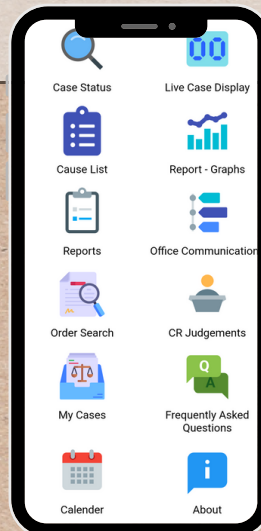
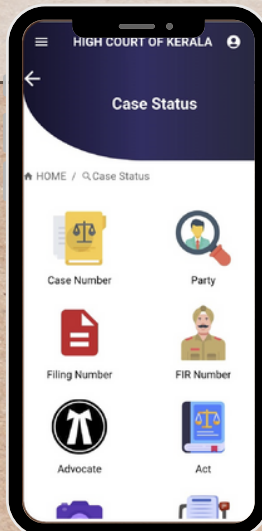
Inauguration of various I.T. initiatives by Hon'ble Chief Minister Pinarayi Vijayan and Hon'ble C.J. Manikumar on 10.04.2023



Inauguration of 'Indian Law Report Malayalam version of Judgements on the High Court Website'.



Launch of various applications developed by the IT Directorate and inauguration of e-initiatives.





## HIGH COURT OF KERALA

### THE YEAR THAT WAS-2023 JUDGEMENTS OF PUBLIC IMPORTANCE

2023:KER:79422

Failing to consider pregnancy-related health issues and childcare responsibilities would constitute discrimination against women in the workplace.



In a man-animal conflict, the Kerala High Court ordered the capture and relocating of 'Arikomban', a wild tusker, to Parambikulam Tiger Reserve in W.P.(C). No.13204/2021

2023:KER:54508

Survey or resurvey records are not documents of title to property



2023:KER:7567 Registering authority under the Special Marriage Act, 1954 cannot refuse to solemnize marriage online.

2023:KER:20684

Granting permission to an Indian citizen to take his/her child abroad would not foreclose the right of the other spouse to get custody of the child.



2023:KER:33534

Child Care Leave facility is available to two children and is not restricted to the eldest surviving children alone.

High court orders that the protocol applicable for production of accused shall apply in case of production of such person in hospital or before healthcare professionals. I.A.No. 10 of 2023 in R.P.No.379 of 2021



Stop Violence  
against  
Doctors



Tanur Boat Tragedy: Kerala High Court Initiates Suo Moto Proceedings and issues directions . Order dt 12-05-2023 in WP (c) 15681/2023.

2023:KER:23005

When the accused flees the country being fully aware of a non-bailable offence registered against him/her, it may not be a right and proper exercise of jurisdiction to grant interim bail.



2023:KER:31652

The Kerala High Court holds that a live-in relationship will not qualify as a marriage amenable for divorce.



## HIGH COURT OF KERALA

### THE YEAR THAT WAS-2023 JUDGEMENTS OF PUBLIC IMPORTANCE



High Court initiates suo motu proceedings in Brahmapuram Fire Outbreak and holds that clean air, water and a pollution-free environment are the basic human rights in WP(C) NO. 7844 of 2023(S)

2023:KER:70656.

The high court issues directions to prevent illegal abandonment of newborn babies in Bethany chapel in Valakom in Kollam.



2023:KER:17805

Kerala High Court upholds the right of a transgender to apply for the post of Sub Inspector of Police (Trainee) in the Armed Police Battalion.

2023:KER:54326

The Kerala High Court directs the appointment of an independent counsel to represent the child to protect the best interest of the child



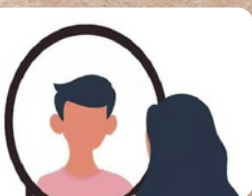
The High Court directs the DGP, Kerala to take steps to remove online images and details of a woman who is a victim of offences under the Immoral Traffic (Prevention) Act, 1956 in WP(CRL.) NO. 609 of 2023(S)

Kerala High Court directed the State authorities to provide basic facilities like food, drinking water, and medical treatment to the tribal families in Nilambur Taluk in WP(C) NO. 24828 of 2023



State obligated to maintain confidentiality of HIV patients availing govt schemes under CMDRF in WP(c) 231 of 2023

Kerala High Court had a virtual view of the subject matter of the litigation of 56.77 hectares of land in Agali in Palakkad-W.P.(C) No. 18814/2004



Directions issued to control rush of vehicles transporting pilgrims to Sabarimala in SSCR 29 of 2023

2023: KER:45848

Granting of permission to conduct genital reconstructive surgery without consent would violate the child's dignity and privacy and impinge on the rights guaranteed under Art.14, Art.19, and Art.21 of the Constitution of India



2023:KER:69216

The High Court declares that the District Courts and the designated authorities have concurrent jurisdiction to entertain a petition for appointment of a limited guardian under Section 14(1) of the Rights Of Persons With Disabilities Act, 2016.

2023:KER:80740

Indian Courts have the jurisdiction to protect the best interest or welfare of a child or an incapable adult, if the court is of the opinion that the party who approached it has no legal remedy before the Court beyond Indian territory.





## HIGH COURT OF KERALA

### THE YEAR THAT WAS-2023

#### KERALA STATE LEGAL SERVICES AUTHORITY:

#### KeLSA

Three projects: (i) Child Legal Assistance Programme (CLAP), (ii) SAMVADA and (iii) Victim Rights Centre (VRC) were launched on 7.11.2023 by the Hon'ble Chief Justice A. J. Desai, in the presence of the Executive Chairman, KeLSA, Hon'ble Mr. Justice Muhammed Mustaque and other Dignitaries. The CLAP" scheme is formulated, based on the directions of the High Court, to appoint lawyers who are willing to independently represent children (Child Support Lawyer) in custody matters and all such litigations, where child rights are involved in the Courts/Authorities concerned. Likewise, SAMVADA is a project for school students aimed to inculcate value-based civic sense in students and equip them to resist the vices inter alia nepotism and corruption in the system with a vision to mould them as responsible citizens of the country. Similarly, the Victim Rights Centre is a platform to ensure access to justice and fair treatment of victims. It aims at an integrated action with the cooperation of Government, inter-governmental and non-governmental organizations to provide assistance and support, sociological, psychological and legal, to the victims and streamline them to their respective remedies.

KeLSA also launched SADGAMAYA a project for conducting legal awareness programmes/legal literacy classes in various subjects/areas of law with the help of special units designed to redress public grievances of those participants/public who have identified their legal issues after attending the classes. Similarly, KeLSA also conducted an ANTI-NARCOTICS CAMPAIGN to raise awareness, prevent drug abuse and provide comprehensive treatment and rehabilitation to the victims of drug abuse.



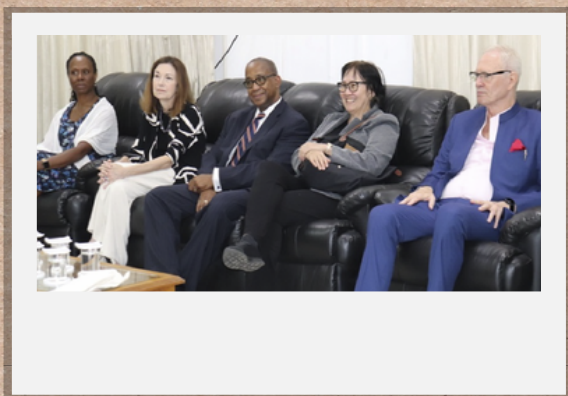


## HIGH COURT OF KERALA

### THE YEAR THAT WAS-2023

#### KERALA JUDICIAL ACADEMY

In 2023, from April to December, the Academy conducted 37 training programmes for judicial officers of different cadres. These include 7 special training programmes, 6 programmes focusing on stress management, time management, court management and other soft skills to ensure the psychological well-being of judicial officers of various cadres, 11 Knowledge enhancement programmes and 13 Skill Enhancement programmes. The Academy also conducted a one-day Judicial Colloquium on Human Trafficking on 17.09.2023. The Academy is currently conducting the induction programme for Munsiff Magistrate trainees of the 2023-24 batch. The Kerala Judicial Academy also conducted the induction programme for the newly recruited Principal Counsellors and pre-examination training for SC/ST candidates qualified for the Kerala Judicial Service Examination, 2023. The Academy also co-hosted the South Zone Regional Conference of the National Judicial Academy and conducted special lectures by prominent personalities in association with ILI, Kerala Chapter. Further, the Academy also hosted a delegation of judges from the USA who interacted with the Munsiff-Magistrate trainees. The Academy has been publishing a monthly newsletter named Judicial Vision.





## HIGH COURT OF KERALA

### THE YEAR THAT WAS-2023

### KERALA STATE MEDIATION AND CONCILIATION CENTRE-KSMCC

The KSMCC is a collaborative initiative between the High Court of Kerala in collaboration with the Kerala State Legal Services Authority. KSMCC has altogether 77 Mediation Centres across the State, including the ADR Centre at the High Court of Kerala. With 783 mediators and 20 Mediator Trainers, KSMCC has played a significant role in handling 45201 cases referred by various courts from January to November 2023; of these, 14674 were settled, and 7544 were non starters. In 2023, KSMCC had conducted various programmes, to name a few, the District Level Skill Enhancement Programme for mediators of Alappuzha, Palakkad, Ernakulam and Thrissur Districts, the District Level Awareness Programme for Lawyers 2022 - 2023 on mediation advocacy for 50 nominated Advocates from Alappuzha, Palakkad, Thrissur, Thalassery and Ernakulam Districts, twenty three awareness programmes on ADR mechanisms for law students, five days orientation programme for the 25 nominated final year Law students of Government Law Colleges, Thiruvananthapuram, Ernakulam and Kozhikode, launched the Pre-Litigation Mediation Scheme - 'NIRNAYA', a novel project for mitigating and resolving the disputes involving the real estate sector, conducted a one day colloquium, conducted a five days Mediation Training Programme for two batches of 45 newly selected Mediators, conducted a refresher programme for the mediators of Thodupuzha Judicial District and Mediators of Erattupetta, Pala and Ranny Sub Centres. The said programme was inaugurated by the Hon'ble the Chief Justice of the High Court of Kerala Mr. Justice Ashish. J. Desai and presided over by the Hon'ble Mr Justice Anil K. Narendran.





## HIGH COURT OF KERALA

### THE YEAR THAT WAS-2023 NATIONAL COMMEMORATION DAYS



International Yoga Day Celebration  
on 21.06.2023



Observance of Martyrs' Day, 30.01.2023



74th Republic Day Celebrations in the  
High Court of Kerala, 26.01.2023



Independence Day Celebration 2023



Independence Day Celebration 2023



## HIGH COURT OF KERALA

### THE YEAR THAT WAS-2023 FESTIVALS AND CULTURAL EVENTS



Onam Celebration - 2023



Kerala Piravi



Kerala High Court Advocate's  
Association  
Annual Day Celebration 2023



Cultural Events





## HIGH COURT OF KERALA

### THE YEAR THAT WAS-2023 TRIBUTES



JUSTICE THOTTATHIL RADHAKRISHNAN: 29.04.1959 -03.04.2023.

FORMER JUDGE OF THE HIGH COURT OF KERALA  
AND FORMER CHIEF JUSTICE OF THE CHHATTISGARH HIGH COURT,  
HYDERABAD HIGH COURT, TELANGANA HIGH COURT AND CALCUTTA  
HIGH COURT.

OBITUARY REFERENCE:

[HTTPS://WWW.YOUTUBE.COM/WATCH?V=3LXBSIOCK9A](https://www.youtube.com/watch?v=3LXBSIOCK9A)



JUSTICE S. SANKARASUBBAN: 23.05.1944-23.05.2023.

FORMER JUDGE OF THE HIGH COURT OF KERALA.

OBITUARY REFERENCE:

[HTTPS://WWW.YOUTUBE.COM/WATCH?V=WO-AZT7WMNO](https://www.youtube.com/watch?v=WO-AZT7WMNO)



JUSTICE U.P. SINGH: 20.12.1935-20.10.2023

FORMER CHIEF JUSTICE OF THE HIGH COURT OF KERALA.

OBITUARY REFERENCE:

[HTTPS://WWW.YOUTUBE.COM/WATCH?V=DFGHQYFINTY](https://www.youtube.com/watch?v=DFGHQYFINTY)



JUSTICE FATHIMA BEEVI: 30.04.1927-28.11.2023

THE FIRST WOMEN JUDGE OF THE SUPREME COURT OF INDIA AND THE  
FORMER JUDGE OF THE KERALA HIGH COURT.

OBITUARY REFERENCE:

[HTTPS://WWW.YOUTUBE.COM/WATCH?V=WISAKOF78MA](https://www.youtube.com/watch?v=WISAKOF78MA)





HIGH COURT OF KERALA

# CHRONICLES

3rd January 2024

## HIGH COURT OF KERALA

### THE YEAR THAT WAS-2023

### JUSTICE CLOCK

#### DISTRICT JUDICIARY

INSTITUTION, DISPOSAL & CASE CLEARANCE RATE			
KERALA	ALL DISTRICTS UNDER STATE OF-I	ALL ESTABLISHMENTS UNDER ST/	
DURATION	INSTITUTION	DISPOSAL	CCR
Today (22-12-2023)	1633	1840	113%
Last Day	2202	2537	115%
Last Week	14861	15355	103%
Last Month	91568	99529	109%
This Year	965496	1120025	116%
Last Year	856373	958021	112%

AGEWISE PENDENCY & LISTED TODAY		
KERALA	ALL DISTRICTS UNDER STATE OF-KERALA	ALL ESTABLISHMENTS UNDER STATE OF-KERALA
AGE (YEARS)	PENDENCY	LISTED TODAY
0-1	809164	17653
2-3	379120	7884
4-5	333201	7435
6-10	267038	6480
11-20	15323	685
21-30	689	40
Above 30	129	12
<b>Total</b>	<b>1804664</b>	<b>40189</b>

HIGH COURT OF KERALA

INSTITUTION, DISPOSAL & CLEARANCE RATE			
DURATION	INSTITUTION	DISPOSAL	CCR
TODAY( 22ND DEC)	468	432	92%
LAST DAY	732	536	73%
LAST WEEK	2745	2473	90%
LAST MONTH	7624	7797	102%
THIS YEAR	98985	86700	88%
LASTYEAR	92030	78280	85%

VIRTUAL JUSTICE CLOCK FOR HIGH COURT OF KERALA	
AGEWISE PENDENCY	
PENDENCY	AGE(YEARS)
78413	0-1
43016	2-3
43953	4-5
63837	6-10
24290	11-20
919	21-30
15	30+
<b>TOTAL</b>	<b>254443</b>



## HIGH COURT OF KERALA

### THE YEAR THAT WAS-2023

#### EDITORIAL NOTE

As the name itself suggests, 'Chronicles' is intended to be an archive of important events, recent legal developments and issues relevant to the High Court of Kerala. This edition of the Chronicle contains glimpses of our historic past, significant events of the last year, milestone achievements and decisions of public importance. We invite our readers to engage with the diverse perspectives presented, fostering a deeper understanding of the dynamic functions of our great High Court. Your valuable suggestions and criticism will help us to get over the shortcomings, if any.

#### EDITORIAL BOARD



HON'BLE MR. JUSTICE V. G. ARUN



HON'BLE MR. JUSTICE C. S. DIAS

with the assistance of IT Directorate, High Court of Kerala.