

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE GOPINATH.P.

TUESDAY, THE 12<sup>TH</sup> DAY OF MAY, 2020/22<sup>ND</sup> VAISAKHA, 1942

W.P(C) NO.9602 OF 2020

PETITIONER:-

SAINULABDHEEN,  
S/O. KUDUKKILMOOSA HAJI,  
AGED 49 YEARS,  
KUDUKKIL HOUSE,  
RAROTH, THAMARASERY P.O.,  
KOZHIKODE DISTRICT.

BY ADV. MOHAMMED IQUABAL C. M.

RESPONDENTS:-

1. THE DISTRICT LEVEL AUTHORIZATION COMMITTEE  
FOR TRANSPLANTATION OF HUMAN ORGANS,  
ERNAKULAM,  
ERNAKULAM MEDICAL COLLEGE HOSPITAL,  
KALAMASSERY, PIN - 683 104,  
REPRESENTED BY ITS CHAIRMAN.

2. LOCAL APPROVAL COMMITTEE OF  
ORGAN TRANSPLANTATION,  
VPS LAKESHORE HOSPITAL,  
NETTOOR P.O, ERNAKULAM, PIN - 682040,  
REPRESENTED BY ITS CHAIRMAN.

3. THE DEPUTY SUPERINTENDENT OF POLICE,  
NEYANTINKARA,  
POST NEYYATINKARA,  
TRIVANDRUM DISTRICT, PIN - 695 121.

R1-2 BY

R3 BY SRI.K.P.HARISH GOVERNMENT PLEADER

THIS WRIT PETITION HAVING COME UP FOR ADMISSION ON  
12.05.2020, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J U D G M E N T

This writ petition was filed, seeking direction to the respondents No. 1 and 2 to consider Ext.P3 application which would enable the petitioner to receive transplant from a non-relative donor.

2. The learned counsel for the petitioner states that the health condition of the petitioner is precarious and urgent orders are required to be passed on his application.

3. The learned Government Pleader submits that the Police verification procedure has just been completed and in view of the current lockdown due to COVID-19, the Committee will require some time to take a decision on the application of the petitioner.

4. In the totality of the facts and circumstances of the case, and considering the health situation of the petitioner, I deem it appropriate to direct the 1<sup>st</sup> respondent to consider and pass orders on Ext.P3 application within a period of one month from the date of receipt of a copy of such application. To enable the 1<sup>st</sup>

respondent to take such a decision, the 2<sup>nd</sup> and 3<sup>rd</sup> respondents shall refer their reports/recommendations to the 1<sup>st</sup> respondent, without any delay.

With the these observations, the above WP(c) is disposed of.

NSD

**GOPINATH.P  
JUDGE**

APPENDIX

PETITIONERS EXTS:

EXHIBIT P1: THE TRUE COPY OF THE MEDICAL CERTIFICATE ISSUED BY THE MEDICAL OFFICER, PHC MANGAD, DATED 28.02.2020

EXHIBIT P2:THE TRUE COPY OF THE AFFIDAVIT SUBMITTED BY THE PETITIONER AND THE DONOR DATED 06.03.2020

EXHIBIT P3:THE TRUE COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER AND THE DONOR DATED 06.03.2020