

IN THE HIGH COURT OF KERALA AT ERNAKULAM  
PRESENT

THE HONOURABLE MR. JUSTICE SHAJI P. CHALY

&

THE HONOURABLE MRS. JUSTICE M.R. ANITHA

FRIDAY, THE 8TH DAY OF MAY 2020 / 18TH VAISAKHA, 1942

W.P.(C).9806 of 2020

**Petitioner**

John Daniel, aged 45 years,  
S/o. Daniel  
Chairman, Welfare Standing Committee, Thrissur Corporation  
General Secretary, District Congress Committee, Thrissur

Presently residing at;  
Ezhuthupurakkal House,  
Ponnuveetil Lane, Patturaikkal, Thrissur - 680 022

Adv. Sri.K.R.Sripathi

**Respondents**

1. Union of India,  
Represented by the Secretary,  
Ministry of Home Affairs  
North Block, New Delhi - 110001

2. The State of Kerala,  
Represented by Chief Secretary,  
GOVERNMENT OF KERALA, SECRETARIAT  
THIRUVANANTHAPURAM - 695 001

GP SRI.BIMAL K.NATH  
SRI.JAISANKAR V. NAIR

THIS WRIT PETITION HAVING COME UP FOR ADMISSION ON 8.5.2020, THE  
COURT ON THE SAME DAY, PASSED THE FOLLOWING

**ORDER**

Shaji P.Chaly, J.

This is a public interest litigation filed by the petitioner challenging mandatory imposition of the use of mobile Application – Arogya Setu, which according to the petitioner is a directive, interfering with the personal autonomy of the citizens, and are also intruding in the privacy. It is also pointed out that on failure to download Arogya Setu Prosecution is threatened.

The learned Standing Counsel seeks time for taking instructions.

Post on 12.5.2020.

SHAJI P.CHALY, Judge

M.R.ANITHA, Judge

Mrcs/8.5.

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**APPENDIX**

**Exhibit P1** :- A true copy of the office memorandum bearing reference No. F.No. 11013/9/2014-Estt (A-III)