

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MRS. JUSTICE ANU SIVARAMAN
&

THE HONOURABLE MRS. JUSTICE M.R. ANITHA

TUESDAY, THE 15TH DAY OF MAY 2020 / 25TH VAISAKHA, 1942

WP (C).NO.9829 OF 2020

PETITIONER

SABU STEEPHEN,
LILLY COTTAGE, PERUKAVU.P.O,
PEYAD, TRIVANDRUM-695 573, KERALA.
MOB: 93 87 82 81 66.

EMAIL: SABUSTEEPHEN73@GMAIL.COM

PETITIONER-IN-PERSON

RESPONDENTS

1. STATE OF KERALA,
REPRESENTED BY CHIEF SECRETARY,
GOVERNMENT SECRETARIAT, TRIVANDRUM-695001

2. STATE OF KERALA,
REPRESENTED BY SECRETARY,
HEALTH AND FAMILY WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT, TRIVANDRUM-695001

3. STATE OF KERALA,
REPRESENTED BY SECRETARY,
REVENUE DEPARTMENT,
GOVERNMENT SECRETARIAT, TRIVANDRUM-695001

4. STATE OF KERALA,
REPRESENTED BY SECRETARY,
HOME DEPARTMENT,
GOVERNMENT SECRETARIAT, TRIVANDRUM-695001

5. STATE OF KERALA,
REPRESENTED BY SECRETARY,
FINANCE DEPARTMENT,
GOVERNMENT SECRETARIAT, TRIVANDRUM-695001

6. STATE OF KERALA,
REPRESENTED BY SECRETARY,
LOCAL SELF GOVERNMENT DEPARTMENT,
GOVERNMENT SECRETARIAT, TRIVANDRUM-695001

7. DIRECTORATE OF HEALTH SERVICES,
REPRESENTED BY DIRECTOR OF HEALTH SERVICES,
GENERAL HOSPITAL JUNCTION, TRIVANDRUM-695035.

8. KERALA STATE DISASTER MANAGEMENT AUTHORITY,
REPRESENTED BY MEMBER SECRETARY,
OBSERVATORY HILLS, VIKASBHAWAN P.O,
TRIVANDRUM-695033.

9. KERALA POLICE,
REPRESENTED BY DIRECTOR GENERAL OF POLICE,
VAZHUTHACAUD, SASTHAMANGALAM P.O,
TRIVANDRUM-695010.

R1-R9, BY SRI.RENJITH THAMBAN, ADDITIONAL ADVOCATE GENERAL,

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 15.05.2020, ALONG WITH WP(C) NO.9885/2020, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

WP (C) .NOS.9829 & 9885 OF 2020

3

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MRS. JUSTICE ANU SIVARAMAN

&

THE HONOURABLE MRS. JUSTICE M.R. ANITHA

TUESDAY, THE 15TH DAY OF MAY 2020 / 25TH VAISAKHA, 1942

WP (C) .NO.9885 OF 2020

PETITIONER:

DR. K. J. KRISHNA KUMAR,
KAKKANATTU HOUSE,
HOUSE NO.48/2258,
PLAYGROUND ROAD,
ELAMAKKARA P.O.,
KOCHI-682026

ADVOCATES S. PRASANTH AND K. ARJUN VENUGOPAL

RESPONDENTS:

1. STATE OF KERALA

REPRESENTED BY ITS CHIEF SECRETARY
GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM,
KERALA, PIN - 695001

2. NON RESIDENT KERALA (NORKA) DEPARTMENT,

REPRESENTED BY ITS SECRETARY
GOVERNMENT OF KERALA, SECRETARIAT,
THIRUVANANTHAPURAM-695001

3.UNION OF INDIA

REPRESENTED BY SECRETARY,
MINISTRY OF EXTERNAL AFFAIRS
SOUTH BLOCK, NEW DELHI - 110 001

4.MINISTRY OF HOME AFFAIRS

REPRESENTED BY ITS SECRETARY
NORTH BLOCK, NEW DELHI - 110001

5.INDIAN COUNCIL OF MEDICAL RESEARCH

REPRESENTED BY ITS DIRECTOR GENERAL,
V. RAMALINGASWAMIBHAWAN, P.O. BOX NO. 4911
ANSARI NAGAR, NEW DELHI - 110029

BY SRI.RENJITH THAMBAN, ADDITIONAL ADVOCATE GENERAL

SRI.SUVIN R. MENON, CGC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
15.05.2020, ALONG WITH WP(C) NO.9829/2020, THE COURT ON THE SAME
DAY PASSED THE FOLLOWING:

**ANU SIVARAMAN
&
M.R.ANITHA, JJ.**

W.P (C) Nos.9829 & 9885 of 2020

Dated this the 15th day of May, 2020

ORDER

ANU SIVARAMAN.J

The learned Additional Advocate General seeks time to get instructions on the statement preferred by the learned CGC.

Post on 19.05.2020.

**ANU SIVARAMAN
JUDGE**

**M.R.ANITHA
JUDGE**

APPENDIX OF W.P (C) NO.9829 OF 2020

EXHIBIT P-1: TRUE COPY OF THE NEWS REPORT PUBLISHED IN THE DECCAN HERALD, DATED 28/01/2020, TITLED "14-DAY QUARANTINE MANDATORY FOR INDIANS EVACUATED FROM CHINA: INDIAN EMBASSY".

EXHIBIT P-2: TRUE COPY OF THE NEWS REPORT PUBLISHED IN THE HINDU, DATED 01/02/2020, TITLED "CORONAVIRUS OUTBREAK: PEOPLE FLOWN IN FROM CHINA QUARANTINED".

EXHIBIT P-3: TRUE COPY OF THE NEWS REPORT PUBLISHED IN THE FIRST POST, DATED 19/02/2020, TITLED "INDIA TO EVACUATE MORE CITIZENS FROM CHINA, 348 PEOPLE RELEASED FROM QUARANTINE".

EXHIBIT P-4: TRUE COPY OF THE NEWS REPORT PUBLISHED IN THE ARY NEWS, ON 13/04/2020, TITLED "SAUDI ARABIA QUARANTINES THOUSANDS IN HOTELS, SOME IN LUXURY SUITES".

EXHIBIT P-5: TRUE COPY OF THE NEWS REPORT PUBLISHED IN THE INDIA TODAY, ON 30/04/2020, TITLED "3.20 LAKH KERALITES FROM 150 COUNTRIES REGISTER ONLINE FOR RETURN AS GOVT SETS UP PLAN TO BRING THEM BACK".

EXHIBIT P-6: TRUE COPY OF THE ORDER NO.40-3/2020-DM-I(A), DATED 5/5/2020, OF MINISTRY OF HOME AFFAIRS, GOVERNMENT OF INDIA.

EXHIBIT P-7: TRUE COPY OF THE NEWS REPORT PUBLISHED IN THE ONMANORAMA, ON 06/05/2020, TITLED "FOURTH COVID-FREE DAY IN A WEEK EMBOLDENS KERALA CM TO ANNOUNCE SCHOOL EXAM DATES.

APPENDIX OF W.P (C) NO.9885 OF 2020

EXHIBIT-P1: TRUE COPY OF THE RELEVANT PART OF THE DAILY BULLETIN FOR 10.05.2020 ISSUED BY THE DIRECTORATE OF HEALTH SERVICES OF THE 1ST RESPONDENT.

EXHIBIT-P2: TRUE COPY OF THE LETTER DATED 19.04.2020 ISSUED BY THE 4TH RESPONDENT TO THE 1ST RESPONDENT.

EXHIBIT-P3: TRUE COPY OF THE ORDER DATED 05.05.2020 BEARING NO. 43-3/2020-DM-I(A) OF THE 4TH RESPONDENT ALONG WITH THE SOP.

EXHIBIT-P4: TRUE COPY OF A NEWS REPORT DATED 06.05.2020 OF MATHRUBHUMI DAILY THAT WAS PUBLISHED ON ITS WEBSITE.

EXHIBIT-P5: TRUE COPY OF THE GOVERNMENT ORDER DATED 06.05.2020 BEARING NO. G.O.(RT)NO.241/2020/NORKA, ISSUED BY THE 2ND RESPONDENT.

EXHIBIT-P6: TRUE COPY OF A NEWS REPORT OF MALAYALA MANORAMA DAILY DATED 07.05.2020 THAT WAS PUBLISHED ON ITS WEBSITE.

EXHIBIT-P7: TRUE COPY OF THE PRESS RELEASE DATED 10.05.2020 ISSUED BY THE INFORMATION AND PUBLIC RELATIONS DEPARTMENT OF THE 1ST RESPONDENT.

EXHIBIT-P8: TRUE COPY OF THE STATEMENT DATED 07.05.2020 FILED ON BEHALF OF THE 1ST RESPONDENT IN WRIT PETITION (C) NO. 9456 OF 2020 WITHOUT ITS ANNEXURES.

EXHIBIT-P9: TRUE COPY OF THE PRESS RELEASE DATED 05.05.2020 ISSUED BY THE INDIAN EMBASSY AT ABU DABHI.

EXHIBIT-P10: TRUE COPY OF THE GUIDELINES FOR HOME QUARANTINE DATED NIL ISSUE BY THE MINISTRY OF HEALTH & FAMILY WELFARE, DIRECTORATE GENERAL OF HEALTH SERVICES, (EMR DIVISION).

EXHIBIT-P11: TRUE COPY OF THE ORDER DATED 31.03.2020 OF THE HON'BLE SUPREME COURT IN WRIT PETITION (C) NO. 468 OF 2020.

EXHIBIT-P12: TRUE COPY OF THE PRESS RELEASE DATED 09.05.2020 ISSUED BY THE INFORMATION AND PUBLIC RELATIONS DEPARTMENT.