

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE RAJA VIJAYARAGHAVAN V

&

THE HONOURABLE MR.JUSTICE T.R.RAVI

FRIDAY, THE 17TH DAY OF APRIL, 2020 /28TH CHAITHRA, 1942

W.P(C) TMP-61 OF 2020

PETITIONERS:

1. Ibrahim Elettil, Aged 62 years, S/o.Abdurahman, President, Dubai KMCC, Cholayil, Kizhakkoth, Elettil – Kozhikode, Kerala.
2. Mr.Afi Udinoor Pakrumade Cheriya, Aged 44 years, S/o.Ahammed Haji, Managing Director of M/s Smart Travel LLC, Padne House, Thayineri, Payyannur P.O., Kannur District, Kerala.

By Adv.Sri. Haris Beeran
Adv.Smt.Nuriya O.A.

RESPONDENTS:

1. Union of India, Represented by its Secretary, Ministry of External Affairs, South Block, New Delhi – 110 001.
2. Ministry of Civil Aviation, Represented by its Secretary, Rajiv Gandhi Bhavan, Block B, New Safdarjung Airport Area, SatyaSadan, New Delhi – 110 003.

3. State of Kerala, Represented by its Chief Secretary, Government Secretariat, Thiruvananthapuram, Kerala, PIN – 695 001.

By Sri. Ranjith Thampan, Addl. Advocate General
Sri. Suvin R. Menon, CGC
Govt. Pleader, Sri.P.Narayanan.

This Writ Petition (Civil) coming up for orders on 17/04/2020, along with W.P(C) TMP-64 2020 and W.P.(C) TMP 67 of 2020, and upon hearing the arguments of Sri.Haris Beeran for the petitioners, Sri. Suvin R. Menon, the learned Central Government Counsel as also Sri.Ranjith Thampan, the learned Addl. Advocate General, the court passed the following:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE RAJA VIJAYARAGHAVAN V

&

THE HONOURABLE MR.JUSTICE T.R.RAVI

FRIDAY, THE 17TH DAY OF APRIL, 2020 /28TH CHAITHRA, 1942

WP(C) TMP.No.64 OF 2020

Petitioners:

1. P.P. Suneer, Aged 51
S/o P.P. Aboo backer,
Matayapparambil House,
Changaramkulam P.O.,
Malappuram District.
2. Meethala Karuvalodi Babu, Aged 64,
S/o Kunhikrishnan Adiyodi
P.O. Box No. 2314, Abudhabi, UAE
Permanent Address: Reveira Garden,
Chorode East PO., Vatakara,
Kozhikode District, PIN 673016

By: Advocate Thulasi K. Raj

Respondents:

1. Union of India,
Represented by Secretary to the Ministry of External Affairs,
South Bock, Raisina Hills,
New Delhi - 110011

2. Secretary to the Ministry of Health and Family Welfare
Government of India,
Near Udyog Bhawan Metro Station,
Maulana Azad Rd,
New Delhi, 110011.
3. Secretary to the Ministry of Home Affairs,
Government of India,
North Block
New Delhi - 110001
India
4. State of Kerala, Represented by
Secretary to the Department of Non-Resident Keralites' Affairs
Secretariat, Thiruvananthapuram. Pin – 695 001.
5. NORKA-ROOTS,
Represented by its Chief Executive Officer,
NORKA Center, NORKA ROOTS, Near Government Guest House Thycaud,
Thiruvananthapuram 695 014

BY Government Pleader, Sri.Thajudheen.
By Sri. Ranjith Thampan, Addl. Advocate General
Sri. Suvin R. Menon, CGC

THIS WRIT PETITION (TEMP) HAVING COME UP FOR ADMISSION ON
17.04.2020, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE MR.JUSTICE RAJA VIJAYARAGHAVAN V
&
THE HONOURABLE MR. JUSTICE T.R.RAVI
FRIDAY, THE 17TH DAY OF APRIL, 2020 /28TH CHAITHRA, 1942
W.P(C) TMP-67 OF 2020

Petitioner

A.E. Abdul Kalam, Aged 49, Advocate

S/A.A. Ebrahim Ayyambrath House

Pallilamkara HMT Colony P.O

Kalamassery – 683 503

By Advs: M.K. Aboobacker

D.M. Nowfal,

Respondents

1. The Union of India Rep; by Secretary, Ministry of External Affairs,
Central Secretariat, New Delhi - 110001
2. The State of Kerala Rep. by the Chief Secretary,
Secretariat, Thiruvananthapuram – 695001

By Sri. Ranjith Thampan, Addl. Advocate General

Sri. Suvin R. Menon, CGC

Govt. Pleader, Sri.P.Narayanan

This Writ Petition (Civil) coming up for orders on 17/04/2020, the court on the same day passed the following:

ORDER**Raja Vijayaraghavan. V., J.**

W.P.(C) TMP 61 of 2020 has already been admitted.

2. Admit W.P.(C) TMP 64 of 2020 and W.P.(C) TMP 67 of 2020. The learned Assistant Solicitor General takes notice for the respondents Nos. 1 to 3 in W.P.(C) TMP 64 of 2020 and for 1st respondent in W.P.(C) TMP 67 of 2020. Sri.Ranjith Thampan, the learned Additional Advocate General, takes notice for the 4th respondent in the former petition and for the 2nd respondent in the latter petition. The petitioner in W.P.(C) TMP 64 of 2020 may serve notice to the 5th respondent by e-mail or in any other appropriate mode.

3. Sri. Suvin R. Menon, the learned Central Government Counsel, submitted that a statement has been filed detailing the stand of the Central Government to the prayers sought for in these petitions. He would further point out that a petition seeking repatriation of Indian Citizens stranded abroad was moved before the Hon'ble Supreme Court by Sri.M.K. Raghavan, Member of Parliament, and the Hon'ble Court has directed that the petition be treated as a representation by the Central Government and appropriate action be taken. The statement filed by the respondent is not seen on board.

4. Sri.Haris Beeran, the learned counsel appearing for petitioner in W.P.(C) TMP 61 of 2020, Sri.Thulasi K. Raj, the learned counsel appearing for the petitioner in W.P.(C) TMP 64 of 2020 and Sri M.K. Aboobacker, the learned counsel appearing for the petitioner in W.P.(C) TMP 67 of 2020 submitted that they have not received a copy of the counter and sought for posting the case to 21.4.2020 to enable them to respond to the contentions.

5. The learned Central Government Counsel shall serve a copy of the statement to the learned counsel appearing for the petitioners in these three cases.

Post on 21.4.2020.

RAJA VIJAYARAGHAVAN. V
JUDGE

T.R.RAVI, JUDGE

APPENDIX IN WP(C) TMP.No.61 OF 2020

PETITIONER'S EXHIBITS

Exhibit.P1: True Copy of the letter dated 1.4.2020 from Petitioner No.2 to the Respondent Union

Exhibit.P2: True Copy of the communication of the Petitioner No.2 to the Consul General of Indian Embassy in UAE

Exhibit.P3: True Copy of the letter of Consul General to the Petitioner

Exhibit.P4: True Copy of the letter of the Petitioner to the Chief Minister

Exhibit.P5: True Copy of the order dated 1.4.2020 passed by the Hon'ble Supreme Court in WP(C) No. 467 of 2020

Exhibit.P6: True Copy of the newspaper report dated 31.3.2020 published in Deccan Chronicle.

Exhibit. P7: True Copy of the newspaper report dated 3.4.2020 published in Deccan Chronicle.

Exhibit P-8: True Copy of the newspaper report dated 3.4.2020 published in the Hindu.

Exhibit P-9: True Copy of the newspaper report dated 7.4.2020 published in Khaleej Times.

Exhibit P10 : True copy of newspaper report dated 11.04.2020 published in "The Hindu".

Exhibit P11 :True copy of newspaper report dated 13.04.2020 published in "Deccan Chronicle".

Exhibit P12 : True copy of letter dated 13.04.2020 submitted by the Hon'ble Chief Minister of Kerala to the Hon'ble Prime Minister of India.

Exhibit P13: True copy of order of Hon'ble Supreme Court dated 13.04.2020 in W.P.(C) Diary No.10890 of 2020.

APPENDIX IN WP(C) TMP.No.64 OF 2020

PETITIONER'S EXHIBITS

Exhibit.P1: True copy of the Additional Travel Advisory dated 19.03.2020 issued by the 2nd Respondent

Exhibit.P2: True copy of the travel advisory issued by the 2nd Respondent dated 16.03.2020

Exhibit.P3: True copy of the order dated 23.03.2020 issued by the 3rd Respondent closing all immigration check points

Exhibit.P4: True copy of the report that appeared on The Hindu dated 20.03.2020

Exhibit.P5: True copy of the letter dated 09.04.2020 issued by the Chief Minister for the State of Kerala to the Prime Minister

Exhibit.P6: True copy of the press release issued by the 2nd Respondent dated 09.03.2020

Exhibit.P7: True copy of the report that appeared on Economic Times dated 12.03.2020

Exhibit.P8: True copy of the newspaper report that appeared in the Hindu on 11.04.2020

Exhibit.P9: True copy of the report that appeared on the Economic Times on 10.04.2020

Exhibit.P10: True copy of the representation dated 04.04.2020 submitted by Kerala Pravasi Federation of which the Petitioner is the Secretary before the Chief Minister of Kerala

Exhibit.P11: True copy of the representation dated 10.04.2020 submitted by Kerala Pravasi Federation of which the Petitioner is the Secretary before the Chief Minister of Kerala

Exhibit.P12: True copy of the representation dated 13.04.2020 filed by the Petitioner to Respondents 1 to 3

Exhibit P13: True copy of the report that appeared on CNBCNews18 on 12.04.2020

APPENDIX IN WP(C) TMP.No.67 OF 2020

PETITIONER'S EXHIBITS

Exhibit - P-1:- Representation dated 11/04/2020 submitted by the Petitioner before the Chief Minister with copy to the Minister for Health, State of Kerala