

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT

THE HONOURABLE MR.JUSTICE GOPINATH.P.

WEDNESDAY, THE 13TH DAY OF MAY, 2020/23RD VAISAKHA, 1942

W.P(C) NO.9803 OF 2020

PETITIONER:

1. GURUVAYUR LODGE OWNERS ASSOCIATION,
KERALA TOWER BUILDING, EAST NADA,
GURUVAYUR, THRISSUR DISTRICT -680101
REPRESENTED BY SECRETARY O.V.MOHANAKRISHNAN,
AGED 55 YEARS, S/O NARAYANAN NAIR,
SREELAKSHMI, INNER RING ROAD,
EAST NADA, GURUVAYUR- 680101.
2. V.S. VELAYUDHAN, AGED 85 YEARS,
S/O SANKARANKUTTY, VALASSERY HOUSE,
P.O.NENMINI, GURUVAYUR AMSOM DESOM,
CHAVAKKAD THALUK, THRISSUR DISTRICT.

BY ADVOS. SRI. RAJIT AND
SMT. PARVATHY MANOJ

RESPONDENTS:

1. UNION OF INDIA, REPRESENTED BY SECRETARY,
MINISTRY OF HOME AFFAIRS
2. STATE OF KERALA,
DEPARTMENT OF HOME AFFAIRS,
REPRESENTED BY THE HOME SECRETARY,
SECRETARIAT, THIRUVANANTHAPURAM - 695 001
3. NATIONAL EXECUTIVE COMMITTEE,
REPRESENTED BY ITS CHAIRPERSON,
DISASTER MANAGEMENT DIVISION,
MINISTRY OF HOME AFFAIRS

4. STATE DISASTER MANAGEMENT AUTHORITY,
REPRESENTED BY ITS CHAIRPERSON,
VIKAS BHAVAN, P.O,
OBSERVATORY HILLS,
KANAKAKKUNNU PALACE,
NANTHANCODE,
THIRUVANANTHAPURAM, KERALA 695033
5. THE DISTRICT COLLECTOR, COLLECTORATE,
AYYANTHOLE, THRISSUR -680003
6. THE SECRETARY, GURUVAYUR MUNICIPALITY,
GURUVAYUR, THRISSUR- 680 104.
7. INCIDENTAL COMMANDER AND TAHSHILDAR,
CHAVAKKAD TALUK, TALUK OFFICE, THRISSUR - 680 101
8. DISTRICT DISASTER MANAGEMENT AUTHORITY CHAIRPERSON,
THRISSUR DISTRICT, COLLECTORATE,
AYYANTHOLE, THRISSUR - 680003
9. STATION HOUSE OFFICER. GURUVAYUR,
CHAVAKKAD TALUK, THRISSUR DISTRICT - 680 101

R1-SRI.P.VIJAYAKUMAR, ASGI
R2 & R5 - VINITHA.B., GOVERNMENT
PLEADER

THIS WRIT PETITION HAVING COME UP FOR ADMISSION ON
13.05.2020, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE GOPINATH.P.

WEDNESDAY, THE 13TH DAY OF MAY, 2020/23RD VAISAKHA,
1942

W.P(C) NO.9921 OF 2020

PETITIONER:-

SREE GURUVAYURAPPA SEVA SANGAM'
EAST NADA, GURUVAYOOR
THRISSUR DISTRICT - 680 101
REPRESENTED BY ITS PRESIDENT
T.SASIDHARAN, S/O.PARAMESWARAN, AGED 65 YEARS
THYKKOOTTU HOUSE, KOLADIPPADI, PO THYKKAD
GURUVAYOOR, THRISSUR DISTRICT - 680 104

BY.ADV.K.MOHANAKANNAN

RESPONDENTS:

1. UNION OF INDIA, REPRESENTED BY SECRETARY,
MINISTRY OF HOME AFFAIRS, NEW DELHI-110 001
2. STATE OF KERALA,
DEPARTMENT OF HOME AFFAIRS,
REPRESENTED BY THE HOME SECRETARY,
SECRETARIAT, THIRUVANANTHAPURAM - 695 001
3. NATIONAL EXECUTIVE COMMITTEE,
REPRESENTED BY ITS CHAIRPERSON,
DISASTER MANAGEMENT DIVISION,
MINISTRY OF HOME AFFAIRS , NEW DELHI-110 001
4. STATE DISASTER MANAGEMENT AUTHORITY,
REPRESENTED BY ITS CHAIRPERSON,
VIKAS BHAVAN, P.O, OBSERVATORY HILLS,
KANAKAKUNNU PALACE, NANTHANCODE,

THIRUVANANTHAPURAM, KERALA 695033

5. THE DISTRICT COLLECTOR,
COLLECTORATE, AYYANTHOLE,
THRISSUR -680003
6. THE SECRETARY, GURUVAYUR MUNICIPALITY,
GURUVAYUR,
THRISSUR- 680 104.
7. INCIDENTAL COMMANDER AND TAHSHILDAR,
CHAVAKKAD TALUK,
TALUK OFFICE, THRISSUR - 680 101
8. DISTRICT DISASTER MANAGEMENT AUTHORITY CHAIRPERSON,
THRISSUR DISTRICT,
COLLECTORATE, AYYANTHOLE,
THRISSUR - 680003
9. STATION HOUSE OFFICER. GURUVAYUR,
CHAVAKKAD TALUK, THRISSUR DISTRICT - 680 101
10. GURUVAYUR LODGE OWNERS ASSOCIATION,
KERALA TOWER BUILDING, EAST NADA,
GURUVAYUR, THRISSUR DISTRICT -680101
REPRESENTED BY SECRETARY
O.V.MOHANAKRISHNAN,

R1 BY SRI.P.VIJAYAKUMAR, ASGI
R2 & R5 SMT.VINITHA.B., GOVERNMENT
PLEADERR

THIS WRIT PETITION HAVING COME UP FOR ADMISSION ON
13.05.2020, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

ORDER

These Writ Petitions are filed essentially raising the grievance that a large number of hotels and lodges in the temple town of Guruvayoor have been requisitioned by the District Administration, Thrissur for housing persons who may have to be quarantined for proper management of the Covid-19 (Corona Virus Disease-19) situation. It is the grievance of the petitioners that housing of such a large number of people in the temple town of Guruvayoor, would result in extreme hardship and difficulty not only to the individual owners of lodges and hotels, but also to general population in Guruvayoor. They also allege that a proper protocol has to be put in place for the management of the situation. According to them, large number of people are being brought to the hotels and left there with no proper and effective mechanism for the management of the persons who are required to be quarantined in the hotels and lodges.

2. On the other hand, the learned Government Pleader appearing for the District Administration would vehemently contend that there is a proper protocol being followed and the persons to be quarantined will be lodged in the hotels and lodges in question only in accordance with such protocol. When this matter was taken up today in the morning session, I enquired of the Government Pleader as to whether the District Collector would be willing to convene a meeting of representatives of petitioners in both these cases to consider the grievances of the petitioners and for laying down a methodology for lodging persons who are required to be quarantined.

3. When the matter is taken up again in the afternoon, the learned Government Pleader submits that the District Collector had already held several meetings and had explained the protocol being put in place for persons who are required to be quarantined. One among the several objections raised appear to be that there are large number of senior citizens who are residing in Guruvayoor and that considering the ground situation in Guruvayoor several of

these lodges and hotels are bunched so close to each other that it would be necessary to determine the number of persons who could be safely quarantined in each of these facilities.

4. Sri.Rajith, the learned counsel appearing for the petitioner in W.P.(C) No.9803 of 2020 would invite my attention to Exts.P6 and P7 therein and states that several of the hotels which have now been requisitioned do not find a place in Exts.P6 and P7 and further that the terms of Ext.P8 Government Order have not been followed by the District Administration while taking over or requisitioning the hotels and lodges in question. In the situation where the Government is fighting a pandemic, it could not be appropriate for this Court to issue any directions which may tend to interfere with the process being undertaken by the Government. But that does not mean that the authorities in question should not consider the grievances raised by the petitioners in these Writ Petitions. If the grievances are genuine, they should rectify the short comings being pointed out by the petitioners to the extent possible.

In such circumstances, I direct the District Collector, Thrissur to convene a meeting of the representatives of the petitioner in W.P.(C) No.9803 of 2020 and representatives of the petitioners in W.P.(C) No.9921 of 2020 and consider the grievances or points raised by them. Considering the urgency of the situation the learned Government Pleader states that the District Collector is willing to convene such meeting tomorrow (14.5.2020) at 12.00 noon. The representatives of the petitioners shall appear before the District Collector, Thrissur on 14.5.2020 at 12.00 noon.

List these matters for further consideration on 15.5.2020.

**GOPINATH.P.
JUDGE**

CSL

APPENDIX OF W.P. (C) NO.9803/2020

PETITIONERS' EXHIBITS:

EXHIBIT P1: TRUE COPY OF THE STANDARD OPERATING
PROTOCOL DATED 05.05.2020 ISSUED BY THE 3RD
RESPONDENT

EXHIBIT P2: TRUE COPY OF THE REPRESENTATION
DATED 04.05.2020, PREFERRED BY THE PETITIONER BEFORE
THE 6TH RESPONDENT MUNICIPALITY

EXHIBIT P3: TRUE COPY OF THE REPRESENTATION PREFERRED
BY THE PETITIONER BEFORE THE 5THRESPONDENT DISTRICT
COLLECTOR DATED 05.05.2020 17

EXHIBIT P4 : TRUE COPY OF THE NOTICE BEARING
NO.C2/3751/2020 DATED 06.05.2020 ISSUED BY THE 7TH
RESPONDENT

APPENDIX OF W.P. (C) NO.9921/2020

PETITIONER'S EXHIBITS:-

EXHIBIT.P1: TRUE COPY OF THE DECISION TAKEN BY THE
SANGHAM DT.8-5-2020

EXHIBIT.P2: TRUE COPY OF THE ORDER NO.C-2-3751/2020
DATED 6-5-2020 ISSUED BY THE TAHSILDAR