

(2022) 06 KL CK 0025
In the High Court Of Kerala
Case No : Writ Petition (C) No. 17024 Of 2022

Aboobaker

APPELLANT

Vs

District Level Authorization Committee For Transplantation Of
Human Organs Ernakulam

RESPONDENT

Date of Decision : 02-06-2022

Acts Referred:

Citation : (2022) 06 KL CK 0025

Hon'ble Judges : V.G.Arun, J

Bench : Single Bench

Advocate : C.M.Mohammed Iquabal, P.S.Appu

Final Decision : Disposed Of

Judgement

V.G.Arun, J

1. The 1st petitioner is suffering from Decompensated Chronic Liver Disease with Portal Hyper Tension and requires immediate liver transplantation as a life saving measure. The second petitioner who is not a relative has volunteered to donate her organ. Following prescribed procedure, the petitioner has submitted Exts.P8 and P9 applications before the second respondent, appending all requisite documents, except the certificate of altruism to be issued by the third respondent. The second respondent has not forwarded the application to the first respondent due to the non-production of the certificate of altruism.

2. Learned Counsel for the petitioners submits that the Division Bench of this Court has clarified that it is not essential to produce the certificate of altruism along with the application. If the first respondent finds the police verification to be essential, then, necessary direction to enquire and submit the certificate of altruism can be issued.

3. I heard the learned Government Pleader and the learned Counsel for the second respondent also.

Considering the urgency expressed by the learned Counsel for the petitioners and taking into account the judgments rendered by this Court in similar cases, the writ petition is disposed of, directing the second respondent to forward Exts.P8 and P9 applications to the first respondent immediately. Thereupon, the first respondent shall conduct necessary verification and, if necessary, seek report/certificate from the third respondent. Appropriate orders on the application shall thereafter be passed within three weeks of receipt of a copy of this judgment.