

(2024) 09 KL CK 0097

In the High Court Of Kerala

Case No : Writ Petition (C) No. 20642 Of 2024

Ajithkumar

APPELLANT

Vs

State Of Kerala

RESPONDENT

Date of Decision : 26-09-2024

Acts Referred:

Citation : (2024) 09 KL CK 0097

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

Bench : Single Bench

Advocate : Sayujya, K.R.Rajeev Krishnan, Ajith Viswanathan

Final Decision : Disposed Of

Judgement

V.G.Arun, J

The 1st petitioner is undergoing treatment for the past few years and requires renal transplantation. The 2nd petitioner has volunteered to donate his organ for conducting the surgery.

The petitioners not being near relatives, approval of the 2nd respondent committee is required for the altruistic donation. For that purpose, the petitioners submitted an application before the 3rd respondent, the Local Level Committee. The petitioners' grievance is that the 3rd respondent is not forwarding the application for the reason that a certificate of altruism issued by the police is not produced.

2. Heard, learned counsel for the petitioners and the learned Government Pleader.

3. This Court has time and again held that, for the purpose of forwarding the application, the Local Level Committee cannot insist upon production of the certificate of altruism, and, if at all, it is for the District Level Authorisation Committee to call for the certificate.

In view of the settled position, the writ petition is disposed of, directing the

3rd respondent to forward the application submitted by the petitioners to the 2nd respondent within one week, if all requisite documents, other than the certificate of altruism, is produced along with the application.

Once the application is received, the 2nd respondent shall take it up for consideration and pass appropriate orders thereon within a further period of two weeks.