

(2022) 05 KL CK 0089
In the High Court Of Kerala
Case No : Writ Petition (C) No. 22203 Of 2022

Engals P.Kurian

APPELLANT

Vs

State Of Kerala

RESPONDENT

Date of Decision : 20-05-2022

Acts Referred:

Constitution of India, 1950 — Article 21

Citation : (2022) 05 KL CK 0089

Hon'ble Judges : S.Manikumar, CJ;Shaji P.Chaly, J

Bench : Division Bench

Advocate : K.N.Abhilash, Sunil Nair Palakkat, M.A.Ahammad Saheer,
P.B.Muhammed Ajeesh, Mathew B.Kurian, C.A.Navas, P.Thomas Geeverghese,
V.Tekchand

Final Decision : Dismissed

Judgement

S.Manikumar, C.J .

1. The prayers sought for in the writ petition are as follows:

"i. To issue a writ of mandamus or any other appropriate writ, order or direction, directing the respondents 3 and 4 to permit all corpses without any discrimination as to Covid-19 or non-Covid corpse to be cremated in the crematorium of Perumbavoor Municipality.

ii. Declare that the decision with regard to the burial of the corpse on the basis of a disease is against the fundamental rights of 'Right to have Decent Life' guaranteed under Art.21 of the Constitution of India.

iii. Declare that discrimination of cremation or burying corpses on the basis of any criteria other than prescribed rules in that regard is against Art.21 of the Constitution."

2. On this day, when the matter came up for hearing, Mr.K.N.Abhilash, learned counsel appearing for the petitioner submitted that the writ petition has become

infructuous.

Placing on record the abovesaid submission, instant writ petition is dismissed as infructuous.

Pending interlocutory applications, if any, shall stand closed.