

DEVAN RAMACHANDRAN, J.

W.P.(C) Nos.22750/2018, 25784/2018, 42574/2018 & 27642/2021

Dated this the 15th day of January, 2025

O R D E R

The Report dated 15.01.2025 filed by Sri.Harish Vasudevan – learned Amicus Curiae, states that a huge board was installed in front of the State Secretariat, apparently under the aegis of the ‘Kerala Secretariat Employees Association’ (KSEA).

2. The learned Amicus Curiae further reports that the Corporation of Thiruvananthapuram removed it immediately, presumably because this illegal action was widely reported in the media. He has also made available the identities of the President and Secretary of the Association, which he says he obtained from their official website; adding that, it appears that the President of the Association is an officer of the rank of Additional Secretary to Government, while the Secretary is of the rank of a Joint Secretary.

3. Sri.Suman Chakravarthy – learned Standing Counsel for the Thiruvananthapuram Corporation, affirmed that, on getting

information about the installation of the Board in front of the Secretariat, the Secretary of the Corporation sprung into action and had it removed. This Court places on record commendation for the Corporation and its Secretary for such swift action.

4. However, there are larger issues involved. If the illegal board had been installed by an Association of employees of the Government, then certainly, it is in breach of Government Orders, as also judicial directives; and the persons concerned would have to be proceeded disciplinarily, apart from penal provisions being attracted. In fact, this Court is aware of the further submission of Sri.Suman Chakravarthy, that a complaint has been made before the cantonment Police Station against the illegal action of the putting up of the board.

5. This Court is unable to understand how, even after repeated orders and action that have been issued and completed, anybody has the temerity to put up any board/flag, much less that of the size now reported. To add to this, it is alleged to have been put up by an Association, with its office bearers being civil servants.

6. Since Sri.Suman Chakravarthy now says that a complaint has been made, obviously, a proper investigation has to be done by the competent Police Officials, particularly to ascertain whether the board has been put up by an Association of Government servants; and, if this is found to be so, whether its office bearers had any role in it.

7. Further, in terms of the earlier directions of this Court, the printer/advertisement agency will also have to be made accountable; and for all this, a proper investigation at the highest level becomes imperative, particularly when the learned Amicus Curiae reports that the office bearers of the Association - who have allegedly put up the board - are of the rank as high as mentioned above.

I, therefore, adjourn this matter to be called on 22.01.2025, with the following directions:

a) The learned Government Pleader will report to this Court what action the Government proposes *qua* the report of the learned Amicus Curiae dated 15.01.2025.

b) I direct the State Police Chief to constitute a competent team of officers to ensure that an investigation into the complaint of the Thiruvananthapuram Corporation on the installation of the board is conducted and completed swiftly, to verify who is responsible. The investigation shall reveal the names and identities of the persons who are responsible; as also that of the printer/advertisement agency responsible for putting it up.

c) I direct the Thiruvananthapuram Corporation to file proper pleadings in this regard, indicating the amount of fine imposed/collected; the expenses incurred and the strain taken for disposal of the huge board. This shall be with specific reference to the information given by the learned Amicus Curiae that the boards that were removed in the earlier drive have still not been properly disposed of and are accumulated in certain areas of the city.

H/o

Sd/-

DEVAN RAMACHANDRAN,

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JUDGE