

VERDICTUM.IN

ITEM NO.63

COURT NO.4

SECTION XI-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 897-898/2025

[Arising out of impugned judgment and order dated 18-12-2024 in WA No. 1857/2024 18-12-2024 in WA No. 1865/2024 passed by the High Court of Kerala at Ernakulam]

ASHA LAWRENCE & ANR.

Petitioner(s)

VERSUS

STATE OF KERALA & ORS.

Respondent(s)

FOR ADMISSION and I.R.

Date : 15-01-2025 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE HRISHIKESH ROY
HON'BLE MR. JUSTICE S.V.N. BHATTI

For Petitioner(s) : Mr. R. Krishnaraj, Adv.
Dr. Linto K.b., Adv.
Mr. Tom Joseph, AOR

For Respondent(s) :

UPON hearing the counsel the Court made the following

O R D E R

1. Heard Mr. R. Krishnaraj, learned counsel appearing for the petitioners.

2. The counsel submits that the present matters pertain to sentiments of the two daughters of the deceased.

3. However, it is seen that the High Court had considered the wishes expressed by the deceased to donate his mortal remains for medical education to the Kalamassery Government Medical College. The Division Bench noted that fact that the deceased was a devout christian and nothing in his faith prohibits donation of his mortal remains for a cause to further medical education. The Court also

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examined the provisions of Section 4A of the Kerala Anatomy Act, 1957 which permits donation of the body.

4. The backdrop under which the desires and wish of the deceased was taken into consideration by the High Court together with the fact that the daughters have not produced any contrary material to contradict those wishes.

5. The deceased had expressed his desires in unequivocal terms. The Court in the impugned judgment specifically took note of such wish expressed by the deceased.

6. In the above circumstances, we see no reason to upset the view taken by the High Court in the impugned order(s) dated 18.12.2024. The Special Leave Petitions are dismissed.

7. Pending application(s), if any, shall stand closed.

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(KAMLESH RAWAT)
ASSISTANT REGISTRAR