

W.P.(PIL)No. 213 of 2026

WEDNESDAY, THE 28TH DAY OF OCTOBER 2026

WP(PIL) No. 213 of 2026

P.M JOSEPH SAJU

VS

UNION OF INDIA & OTHERS

ADVS FOR PETITIONER/S:

**SMT.KARTHIKA MARIA, SMT.NAVYA SEBY, SMT.ANJALY ELIAS,
SMT.ALEENA PAUL**

Soumen Sen, C.J. & Syam Kumar V.M., J.

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W.P.(PIL) No.213 of 2026

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Dated this the 28th day of October, 2026

Appearance:

For the Petitioner : Ms. Karthika Maria

For the Respondents : Ms.R.Remma, Spl.G.P.

Mr. Harikrishnan P.B, CGC

Mr. Harikumar G. for R8

ORDER

Syam Kumar V.M., J.

This writ petition is filed by the petitioner seeking a direction to the State to ensure the effective and uniform implementation of the Witness Protection Scheme, 2018 throughout the State of Kerala. It is pointed out that the said Scheme has been approved by the Hon'ble Supreme Court in **Mahender Chawla v. Union of India**¹ and that the Hon'ble Supreme court had, in the said judgment, specifically directed that the said Scheme has to be implemented across India and a time period till 2019 had been granted in the said respect.

2. The learned counsel for the petitioner points to Ext.P13

1 (2019) 14 SCC 615

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letter dated 19th September, 2026 issued by the State Public Information Officer & Deputy Secretary, Home (M) Department, Government of Kerala, stating that, as it stood then, no Government Order, notification or circular had been issued with respect to the Witness Protection Scheme, 2018 and that the matter was under consideration.

3. Attention is also invited to Ext.P14 letter dated 23rd September, 2026 issued by the Deputy Superintendent of Police to the petitioner in reply to an RTI application, wherein it has been stated that a draft notification, namely, the Kerala Witness Protection Scheme, 2026 has been prepared and submitted to the Government of Kerala for issuance and that the same is presently under the consideration of the Government. It is also pointed out therein that the draft notification has not been finalised or issued.

4. We have heard the learned Special Government Pleader appearing for the respondent/State.

5. We note that there is specific direction of the Hon'ble Supreme Court with respect to the implementation of the

Witness Protection Scheme by all States and nevertheless, the same has not yet been implemented in the State. We expect the State to take early urgent steps towards implementation of the Witness Protection Scheme and thus to effect full compliance with the direction of the Hon'ble Supreme Court in full earnest.

6. The learned Special Government Pleader seeks time so as to file a detailed affidavit regarding the progress made in the said respect.

Post the matter on 18th November, 2026.

**Sd/-
Soumen Sen
Chief Justice**

**Sd/-
Syam Kumar V.M.
Judge**

vpv