



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE THE CHIEF JUSTICE MR. SOUMEN SEN

&

THE HONOURABLE MR. JUSTICE SYAM KUMAR V.M.

THURSDAY, THE 5TH DAY OF MARCH 2026 / 14TH PHALGUNA, 1947

WP(PIL) NO. 40 OF 2026

PETITIONER/S:

AJEESH KALATHIL GOPI
AGED 44 YEARS
S/O GOPI KALATHIL KUNJACHAN REDEMPTION LEGAL,
8/51, F/F, JANGPURA- EXTESION, NEW DELHI-,
PH:011-41649932, MOB: 9315669875/9971870778
EMAIL: AJEESHKALATHIL@YMAIL.COM, PIN - 110014

BY ADV AJEESH KALATHIL GOPI (PARTY-IN-PERSON)

RESPONDENT/S:

- 1 STATE OF KERALA
THROUGH CHIEF SECRETARYSECRETARIAT,
THIRUVANANTHAPURAM-695 001. EMAIL:
CHIEFSECY@KERALA.GOV.IN, PIN - 682031
- 2 PRINCIPAL SECRETARY TO GOVERNMENT
HEALTH & FAMILY WELFARE DEPARTMENT, GOVERNMENT OF
KERALA, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM
EMAIL:SECY.HEALTH@KERALA.GOV.IN, PIN - 695001
- 3 DIRECTOR OF MEDICAL EDUCATION
DIRECTORATE OF MEDICAL EDUCATION MEDICAL COLLEGE
P.O. THIRUVANANTHAPURAM EMAIL: DME@KERALA.GOV.IN,
PIN - 695011
- 4 KERALA GOVERNMENT MEDICAL COLLEGE TEACHERS'



ASSOCIATION (KGMCTA)
THROUGH ITS SECRETARY GOVERNMENT MEDICAL COLLEGE,
KERALA, THIRUVANANTHAPURAM-
EMAIL:KGMCTATVPM@GMAIL.COM / DR SHEFNAM@GMAIL.COM,
PIN - 695011

OTHER PRESENT:

SMT. VINITHA B.- SR.GP

THIS WRIT PETITION (PUBLIC INTEREST LITIGATION)
HAVING COME UP FOR ADMISSION ON 05.03.2026, THE COURT ON
THE SAME DAY DELIVERED THE FOLLOWING:



J U D G M E N T

Dated this the 5th day of March, 2026

Soumen Sen, C. J.

Heard Mr. Ajeesh Kalathil Gopi, party-in-person and Ms. B. Vinitha, learned Senior Government Pleader.

2. The affidavit filed by the 2nd respondent in terms of the earlier direction dated 26.02.2026 is taken on record. In the affidavit, it has been specifically stated that pursuant to the order dated 26.02.2026, instructions were issued to the Director of Medical Education to ensure that the functioning of all Government Medical College Hospitals is maintained without interruption, particularly in respect of Out-Patient Departments, In-Patient services, casualty and emergency services, intensive care units, labour rooms, operation theatres and all critical care and life-saving departments and daily monitoring mechanisms have been put in place. The Director of Medical Education is conducting review meetings with Principals, Superintendents and Heads of Departments of all Government Medical Colleges to assess patient inflow,



specialist availability, elective and emergency procedures, staffing position and service continuity. Reports are being collected and reviewed on a day-to-day basis.

3. It is further stated that the non-striking faculty members, Senior Residents, Junior Residents and other available medical officers have been redeployed and duty rosters have been reorganised to ensure that specialist consultations, follow-up care, admission decisions and urgent procedures are carried out without interruption. Special emphasis has been placed on ensuring that no patient requiring urgent specialist intervention is denied care. Where specialist services are required and are found to be inadequate due to absence of certain faculty members, arrangements are being made through internal redistribution of available specialists and through coordination among departments so as to ensure uninterrupted expert medical assistance. Necessary administrative directions have been issued to ensure availability of specialists in critical disciplines.



4. It is also stated that in order to prevent hardship to patients, directions have also been issued to strengthen services in General Hospitals, District Hospitals and Taluk Headquarters Hospitals across the State. Coordination between the Directorate of Medical Education and the Directorate of Health Services has been strengthened so as to manage patient load effectively and ensure seamless referral and treatment. The Director of Medical Education has been directed to ensure that elective procedures, to the extent feasible, continue without undue delay and that emergency and life-saving procedures are given absolute priority. Particular attention is being paid to vulnerable categories of patients, including those requiring oncology care, dialysis, obstetric care, paediatric care and post-operative follow-up. Instructions have also been issued that Principals, Heads of Departments and Superintendents shall be personally responsible for ensuring that there is no decline in essential medical services and that any lapse in ensuring continuity of patient care shall be viewed seriously.



5. It is further submitted in the affidavit that meetings have been conducted at the level of the Minister for Health and senior officers of the Health and Finance Departments. Further consultations are being pursued to address the grievances raised by the faculty in a structured and time-bound manner, with a view to restoring complete normalcy at the earliest. The State Government is fully conscious of its constitutional obligation to ensure access to public healthcare and reiterates that patient care shall not be allowed to suffer on account of the present situation. Continuous supervision at the highest administrative level is being maintained to ensure strict compliance with the directions of this Court.

6. The medical services is one of the essential services as specified in the notification dated 25 March 2020 and it is the duty and responsibility of the State to ensure that the services provided by the State is not interrupted. Steps should be taken against anyone disrupting such essential service.



7. In view of the steps taken by the State, we dispose of this writ petition directing the State to ensure that all medical services in the Government Medical Colleges across the State of Kerala shall continue uninterruptedly.

**Sd/-
SOUMEN SEN
CHIEF JUSTICE**

**Sd/-
SYAM KUMAR V. M.
JUDGE**

Eb



APPENDIX OF WP(PIL) NO. 40 OF 2026

PETITIONER EXHIBITS

- Exhibit P1 TRUE COPY OF THE ONLINE NEWS REPORT PUBLISHED IN 'THE HINDU' ON 16.02.2026 TITLED 'INDEFINITE OP BOYCOTT BY MEDICAL COLLEGE DOCTORS BEGIN IN KERALA', REPORTING COMMENCEMENT OF INDEFINITE OPD BOYCOTT IN GOVERNMENT MEDICAL COLLEGES ACROSS THE STATE
- Exhibit P2 TRUE COPY OF THE ONLINE NEWS REPORT PUBLISHED IN THE HINDU ON 15.02.2025 TITLED 'GOVT MEDICAL COLLEGE DOCTORS TO GO ON INDEFINITE STRIKE FROM MONDAY', REPORTING THE ANNOUNCEMENT OF THE PROPOSED INDEFINITE STRIKE
- Exhibit P3 TRUE COPY OF THE NEWS REPORT DATED 16.02.2026 PUBLISHED IN ONMANORAMA REGARDING THE ONGOING DOCTORS' STRIKE IN GOVERNMENT MEDICAL COLLEGES IN KERALA
- Exhibit P4 TRUE COPY OF THE NEWS REPORT DATED 16.02.2026, PUBLISHED IN MATHRUBHUMI ENGLISH TITLED 'KERALA DOCTORS' STRIKE OVER SALARY DUES IMPACTS HEALTHCARE SERVICES
- Exhibit P5 TRUE COPY OF NOTIFICATION ISSUED BY THE GOVERNMENT OF KERALA VIDE G.O.(P) NO.16/2020/HOME DATED 25.03.2020, PUBLISHED AS S.R.O. NO. 247/2020 IN THE KERALA GAZETTE (EXTRAORDINARY), DECLARING 'HEALTH SERVICES' AS ESSENTIAL SERVICES UNDER SECTION 2(1) (A) OF THE KERALA ESSENTIAL SERVICES MAINTENANCE ACT, 1994