



2025:KER:84306

W.P(PIL)No.18 of 2025 & conn.cases

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE THE CHIEF JUSTICE MR. NITIN JAMDAR

&

THE HONOURABLE MR. JUSTICE SYAM KUMAR V.M.

TUESDAY, THE 4TH DAY OF NOVEMBER 2025 / 13TH KARTHIKA, 1947

WP(PIL) NO. 18 OF 2025

PETITIONER:

PUBLIC EYE TRUST REP. BY ITS GENERAL SECRETARY
(REGD. NO.43/2016) REP. BY GENERAL SECRETARY BABY
Y. KIREEDATHIL, S/O YOHANNAN, C.C. NO.67/3503,
MARKET ROAD (NORTH PART) ERNAKULAM, KOCHI, PIN -
682018

BY ADVS.
SHRI.C.J.JOY
SMT.VALSAMMA KURIAN JOSE
SMT.POULY P.D.
SMT.SHOBIA NAIR

RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY ITS CHIEF SECRETARY, GOVERNMENT
SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695001
- 2 THE DIRECTOR GENERAL OF POLICE
POLICE HEAD QUARTERS, VELLAJAMBALAM,
THIRUVANANTHAPURAM, PIN - 695010
- 3 UNION OF INDIA,
REP. BY THE SECRETARY, MINISTRY OF HEALTH AND
FAMILY WELFARE, ROOM NO.402-D, NIRMA BHAVAN, NEW
DELHI- 110011
- 4 KERALA ASHA & HEALTH WORKERS ASSOCIATION,



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REP. BY ITS GENERAL SECRETARY MS. M.A. BINDU, AGED 55 YEARS, (HUSBAND'S NAME NOT KNOWN TO THE PETITIONER), C/O SOCIALIST UNITY CENTRE OF INDIA (SUCI) OFRICE, TC 12/ 1242, LAW COLLEGE JUNCTION, KUNNUKUZHI, VANCHIYOOR P. O. , THIRUVANANTHAPURAM, PIN - 695035

5 SHRI.ELAMARAM KAREEM,
AGED 73 YEARS
S/O ISMAILUTTY, GENERAL SECRETARY, CENTRE OF INDIAN TRADE UNIONS CITU)KERALA, CITU STATE COMMITTEE OFFICE, E. BALANADAN MEMORIAL BUILDING, THAMPANOOR, THIRUVANANTHAPURAM, PIN - 695001

6 K.N.VENUGOPAL,
AGED 55 YEARS
(S/O NOT KNOWN TO THE PETITIONER) , SATE SECRETARY, CENTRE OF INDIAN TRADE UNIONS (CITU) ,KERALA, CITU STATE COMMITTEE OFFICE, "E. BALANADAN MEMORIAL BUILDING", THAMPANOOR, THIRUVANANTHAPURAM, PIN - 695001

BY ADVS.
GOVERNMENT PLEADER
SHRI.C.DINESH, CGC
SHRI.KALEESWARAM RAJ
SHRI.N.MANOJ KUMAR, STATE ATTORNEY
SHRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL
SHRI.V.MANU, SPL.G.P. TO A.G.
KUM.THULASI K. RAJ
SMT.APARNA NARAYAN MENON
SMT.CHINNU MARIA ANTONY

THIS WRIT PETITION (PUBLIC INTEREST LITIGATION) HAVING COME UP FOR ADMISSION ON 04.11.2025, ALONG WITH WP(PIL) .23/2025, Con.Case(C)No.1088/2025, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:



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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE THE CHIEF JUSTICE MR. NITIN JAMDAR

&

THE HONOURABLE MR. JUSTICE SYAM KUMAR V.M.

TUESDAY, THE 4TH DAY OF NOVEMBER 2025 / 13TH KARTHIKA, 1947

WP(PIL) NO. 23 OF 2025

PETITIONER:

**SHIBY SOMAN
AGED 49 YEARS
W/O. SOMAN, 33/3245E, THODUVAKKARA HOUSE, VENNALA,
ERNAKULAM DISTRICT, PIN - 682028**

**BY ADVS.
SRI.K.P.PRASANTH
SHRI.P.S.BIJU**

RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY CHIEF SECRETARY GOVERNMENT OF
KERALA, GOVERNMENT SECRETARIAT, THIRUVANTHAPURAM,
PIN - 695001**
- 2 SECRETARY
HEALTH AND FAMILY WELFARE, GOVERNMENT OF INDIA,
NEW DELHI, PIN - 110011**
- 3 DIRECTOR GENERAL OF POLICE
STATE POLICE HEAD QUARTERS, VELLAYAMBALAM,
THIRUVANANTHAPURAM, PIN - 695010**

***ADDL.R4 KERALA STATE ASHA WORKERS FEDERATION (CITU),
CENTRE OF INDIAN TRADE UNIONS (CITU), KERALA STATE
COMMITTEE, CITU STATE COMMITTEE OFFICER, AKG
CENTRE, AKG BHAVAN, THIRUVANANTHAPURAM, 695001**



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***ADDL.R5 ALL KERALA PRADESH ASHA WORKERS CONGRESS (INTUC)
INTUC KERALA STATE COMMITTEE OFFICE, GANDHI BHAVAN,
THYCAUD P.O., THIRUVANANTHAPURAM - 695014.**

***ADDL.R6 ASHA WORKERS FEDERATION (STU)
STATE TRADE UNION (STU), STATE COMMITTEE OFFICER,
MUSLIM LEAGUE HOSUE, PANAVILA JUNCTION,
THIRUVANANTHAPURAM - 695001.**

***ADDL.R7 ALL INDIA TRADE UNION CONGRESS (AITUC)
AITUC STATE OFFICE, SRV LP SCHOOL ROAD, NEAR KSRTC
BUS STAND, ERNAKULAM - 682011.**

***ADDL.R8 KERALA ASHA HEALTH WORKERS ASSOCIATION (KAHWA),
T.C.NO.12/1242, LAW COLLEGE JUNCTION, VANCHIYOOR
P.O., THIRUVANANTHAPURAM - 695035. *[ADDL. R4 TO R8
ARE IMPLEADED AS PER ORDER DATED 04/07/2025 IN
WP(PIL) 23/2025.]**

BY ADVS.

GOVERNMENT PLEADER

SHRI.KALEESWARAM RAJ

SHRI.N.MANOJ KUMAR, STATE ATTORNEY

SHRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL

SHRI.V.MANU, SPL.G.P. TO A.G.

KUM.THULASI K. RAJ

SMT.CHINNU MARIA ANTONY

SMT.APARNA NARAYAN MENON

THIS WRIT PETITION (PUBLIC INTEREST LITIGATION) HAVING
COME UP FOR ADMISSION ON 04.11.2025, ALONG WITH WP(PIL).18/2025
AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:



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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE THE CHIEF JUSTICE MR. NITIN JAMDAR

&

THE HONOURABLE MR. JUSTICE SYAM KUMAR V.M.

TUESDAY, THE 4TH DAY OF NOVEMBER 2025 / 13TH KARTHIKA, 1947

CON.CASE(C) NO. 1088 OF 2025

AGAINST THE ORDER DATED 16.04.2025 IN WP(PIL) NO.23 OF
2025 OF HIGH COURT OF KERALA

PETITIONER/PETITIONER:

SHIBY SOMAN
AGED 49 YEARS
THODUVAKKARA HOUSE, VENNALA.P.O, COCHIN., PIN -
682028

BY ADV SRI.K.P.PRASANTH

RESPONDENT/RESPONDENT NO.1:

AJAY THILAK
AGE AND FATHER'S NAME NOT KNOWN TO THE PETITIONER,
THE CHIEF SECRETARY GOVERNMENT OF KERALA,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN -
695001

THIS CONTEMPT OF COURT CASE (CIVIL) HAVING COME UP FOR
ADMISSION ON 04.11.2025, ALONG WITH WP(PIL).18/2025 AND
CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:



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NITIN JAMDAR, C.J. & SYAM KUMAR.V.M, J.

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W.P(PIL)Nos.18 & 23 of 2025

and

Con.Case(C)No.1088 of 2025

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Dated this the 4th day of November, 2025

JUDGMENT

NITIN JAMDAR, C.J.

Heard Ms.Daisy Davis, learned counsel representing Mr.C.J.Joy, learned counsel for the Petitioner in W.P(C)No.18 of 2025, Mr.P.S.Biju, learned counsel for the Petitioner in W.P(C)No.23 of 2025, Mr.N.Manoj Kumar, learned State Attorney, Mr.C.Dinesh, learned Senior Panel Counsel and Ms.Chinnu Maria Antony, learned counsel for Respondent No.4 in W.P(PIL)No.18 of 2025.

W.P(PIL)Nos.18 & 23 of 2025

2. These two petitions, filed in public interest, raise an issue regarding the payment of honorarium to the Accredited Social Health Activists (ASHA Workers), who are Community Health Workers engaged by the Ministry of Health and Family Welfare as part of the National Health Mission and deployed in the health care system of the State. Both petitions draw attention to the long-standing demands of these workers for their pay revision. The Court's attention was also drawn to the fact that various organizations and Unions representing the cause of these workers have launched agitations. By order dated 22 August 2025, the counter affidavit



filed by the State was taken note of, wherein it was stated that a Committee had been constituted pursuant to the meeting held on 3 April 2025, presided over by the Minister for Health, to comprehensively examine the issues and demands raised by the trade unions and organizations representing ASHA workers. The matter was adjourned from time to time awaiting the response of the State Government on the report submitted by the Committee. Today, the Additional Secretary, Health and Family Welfare Department, through the learned State Attorney, has tendered an affidavit dated 3 November 2025, wherein it is stated as under:

“ 3. It is submitted that the Government have examined the issues raised by the petitioner and a Committee was constituted to look into the various demands of the ASHA workers relating to remuneration, social security benefits, service conditions, and workload. The Committee has submitted its report to the Government. Certain recommendations involving financial commitments are under consideration in consultation with the Finance Department.

4. It is submitted that meanwhile, the Government has enhanced the monthly honorarium payable to ASHA workers from Rs.7,000/- to Rs.8,000/- with effect from 01.11.2025, vide G.O.(Rt) No.375/2025/H&FWD dated 01.11.2025. True copy of the Government Order G.O.(Rt) No.375/2025/H&FWD dated 01.11.2025 is produced herewith and marked as Exhibit R1(c).

5. It is submitted that further, the Health Department has issued directions to the State Mission Director, National Health Mission, to furnish a detailed report for taking further action based on the Committee's recommendations. A reminder has also



been issued to ensure expeditious compliance.

6. *It is submitted that the Government has taken all earnest steps to resolve the issues raised by the petitioner. Further action if warranted will be taken on receipt of the report and in consultation with the concerned Departments. The Writ Petition is not maintainable and is therefore liable to be dismissed.”*

3. We are informed that the workers have withdrawn their strike. It is also stated on behalf of the Petitioner in W.P(C)No.18 of 2025 that the Petitioner does not propose to press the petition. The Petitioner in W.P(PIL)No.23 of 2025 submits that the Committee's reports should be implemented and necessary steps have to be taken. The learned State Attorney states that steps have already been taken and that the monthly honorarium has been enhanced from ₹7,000/- to ₹8,000/- with effect from 1 November 2025.

4. We have to note that these petitions were not filed by the registered unions, who are representing the cause of the ASHA workers, but have joined subsequently at the instance of this Court. The question as to what stand each of the trade unions may take in representing the cause of the workers and whether they would initiate agitations/proceedings before the competent court of law, is a different matter. The issue before us is whether the present public interest petitions need be kept pending in view of the above position pointed out to us.

5. According to us, it is not necessary to keep these petitions pending. If the ASHA workers have any further grievances, either



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individually or through their trade unions, it will always be open to them to take recourse to the competent court of law in accordance with law.

6. With these clarifications and observations, these Public Interest Litigation petitions are closed.

Con.Case(C)No.1088 of 2025

7. In view of the above circumstances, we do not deem it necessary to proceed further in contempt jurisdiction. Accordingly, this contempt petition is closed.

Sd/-

**NITIN JAMDAR,
CHIEF JUSTICE**

Sd/-

**SYAM KUMAR.V.M
JUDGE**

vgd



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APPENDIX OF WP(PIL) 18/2025

PETITIONER'S EXHIBITS

EXHIBIT P1	TRUE COPY OF THE NEWS ITEM IN THIS REGARD PUBLISHED AT PAGE NO.3 OF THE TIMES OF INDIA NEWSPAPER DATED 16/02/2025 I
EXHIBIT P2	TRUE COPY OF THE NEWS ITEM IN THIS REGARD PUBLISHED AT PAGE NO. 5 OF THE TIMES OF INDIA DAILY NEWSPAPER DATED 18/02/2025
EXHIBIT P3	TRUE COPY OF THE NEWS ITEM IN THIS REGARD PUBLISHED AT PAGE NO. 3 OF THE TIMES OF INDIA DAILY NEWSPAPER DATED 22/02/2025
EXHIBIT P4	TRUE COPY OF THE NEWS ITEM IN THIS REGARD PUBLISHED AT PAGE NO. 6 OF THE TIMES OF INDIA DAILY NEWSPAPER DATED 23/02/2025 I
EXHIBIT P5	TRUE COPY OF THE NEWS ITEM IN THIS REGARD PUBLISHED AT PAGE NO.3 OF THE TIMES OF INDIA DAILY NEWSPAPER DATED 25/02/2025 IS
EXHIBIT P6	TRUE COPY OF THE NEWS ITEM IN THIS REGARD PUBLISHED AT PAGE NO.3 OF THE TIMES OF INDIA DAILY NEWSPAPER DATED 26/02/2025 I
EXHIBIT P7	TRUE COPY OF THE NEWS ITEM PUBLISHED IN THIS REGARD IN THE TIMES OF INDIA DAILY NEWSPAPER DATED 27/02/2025
EXHIBIT P8	TRUE COPY OF THE NEW ITEM IN THIS REGARD PUBLISHED AT PAGE NO. 4 OF INDIAN EXPRESS DAILY NEWSPAPER DATED 4/3/2025
EXHIBIT P9	TRUE COPY OF THE NEWS ITEM IN THIS REGARD PUBLISHED AT PAGE NO.4 IN HINDU DAILY NEWSPAPER DATED 4/03/2025
EXHIBIT P10	TRUE COPY OF THE NEWS ITEM IN THIS REGARD PUBLISHED IN THE INDIAN EXPRESS DAILY NEWSPAPER DATED 12/03/2025
EXHIBIT P11	TRUE COPY OF THE NEWS ITEM PUBLISHED IN THIS REGARD AT PAGE NO.4 OF THE NEW INDIAN EXPRESS DAILY NEWSPAPER DATED 21/03/2025
EXHIBIT P12	TRUE COPY OF THE NEWS ITEM IN THIS REGARD PUBLISHED AT PAGE NO.7 OF THE INDIAN EXPRESS DAILY NEWSPAPER DATED 23/03/2025
EXHIBIT P13	TRUE COPY OF THE NEWS ITEM IN THIS REGARD PUBLISHED IN THE TIMES OF INDIA DAILY NEWSPAPER DATED 1/04/2025



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RESPONDENTS' EXHIBITS

- EXHIBIT R1 (A)** TRUE COPY OF THE G.O. (RT) NO. 736/2025/HFWD DATED 12.03.2025 WITH TRUE ENGLISH TRANSLATION
- EXHIBIT R1 (B)** TRUE COPY OF THE G.O. (RT) NO. 1297/2025/HFWD WITH TRUE ENGLISH TRANSLATION DATED 12.05.2025
- EXHIBIT R3 (A)** THE DETAILS OF CENTRAL RELEASES TO THE STATE OF KERALA UNDER NHM DATED 22-07-2025 PUBLISHED ON MINISTRY OF HEALTH AND FAMILY WELFARE DEPARTMENTS WEBSITE
- EXHIBIT R4 (A)** TRUE COPY OF THE PROCEEDINGS OF PARLIAMENT SPECIFICALLY UNCHARTED QUESTION NO.5049 POSED TO THE MINISTER OF HEALTH AND FAMILY WELFARE.
- EXHIBIT R4 (B)** TRUE COPY OF THE ANSWER GIVEN BY THE MINISTER OF HEALTH AND FAMILY WELFARE TO EXT.R4 (A) .
- EXHIBIT R4 (C)** TRUE COPY OF LETTER NO.F-12014/1/2024-NHM-II DATED 23.12.24 ISSUED BY THE MINISTRY OF HEALTH AND FAMILY WELFARE.
- EXHIBIT R4 (D)** TRUE COPY OF LETTER NO.NHM/1647/JC (SD)/2019/SPMSU DATED 08.07.25 ISSUED BY THE STATE MISSION DIRECTOR ALONG WITH ENGLISH TRANSLATION.
- EXHIBIT R1 (C)** TRUE COPY OF THE GOVERNMENT ORDER G.O. (RT) NO. 375/2025 H AND FWD DATED 01.11.2025 ALONG WITH ENGLISH TRANSLATION



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APPENDIX OF WP(PIL) 23/2025

PETITIONER'S EXHIBITS

- EXHIBIT-P1** TRUE COPY OF THE NEWS PAPER REPORT PUBLISHED IN THE TIME OF INDIA ON 28/03/2025
- EXHIBIT-P2** TRUE COPY OF THE REPRESENTATION DATED 28/03/2025 SUBMITTED BY THE PETITIONER BEFORE THE RESPONDENTS NO. 1 AND 2

RESPONDENTS' EXHIBITS

- EXHIBIT R1 (A)** TRUE COPY OF THE G.O. (RT) NO. 736/2025/HFWD DATED 12.03.2025 WITH TRUE ENGLISH TRANSLATION
- EXHIBIT R1 (B)** TRUE COPY OF THE G.O. (RT) NO. 1297/2025/HFWD WITH TRUE ENGLISH TRANSLATION DATED 12.05.2025



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APPENDIX OF CON.CASE (C) 1088/2025

PETITIONER'S ANNEXURES

**ANNEXURE-1 CERTIFIED COPY OF THE ORDER IN W.P. (PIL)
NO.23 /2025 DATED 16/04/2025**