



**BEFORE THE HON'BLE HIGH COURT OF KERALA AT ERNAKULAM**

**I.A. No       /2020**  
**in**  
**W.P. (C) No.       /2020**

**Petitioner**

United Nurses Association,  
Through Its State President Mr. Shoby Joseph  
R/O. Door No. 26/548/9, 2nd Floor,  
Capital City, Korappath Line,  
Round North, Thrissur-680020,  
Kerala.

**Respondents**

1. Union of India,  
Represented by the Secretary,  
Nirmal Bhavan, Near Udyog Bhawan Metro Station,  
Maulana Azad Rd, New Delhi, Delhi 110011
2. The State of Kerala,  
Represented by Chief Secretary,  
Government Of Kerala, Secretariat  
Thiruvananthapuram - 695 001

**PETITION UNDER SECTION 8 OF THE HIGH COURT ACT 1958**

The petitioner herein is concerned about the imminent dangers and alarmingly dangerous working environments, the nurses from Kerala working in Delhi, Maharashtra, West Bengal etc are subject to, giving them exposure to the Covid 19 Virus. In spite of symptoms being projected by many of them, their testing is delayed to make them work. In some cases even if testing is undertaken, the nurses are denied basic facilities like food, quarantine and medical care.

The petitioner association in the interest of Justice, in order to protect the right to life guaranteed under Article 21 of the Constitution of India of the nurses who have sacrificed their safety for the human beings of this country, seek a writ of mandamus to the

State of Kerala to urgently take steps to bring back the COVID affected nurses (tested positive and those prescribed for a test and not tested) to the State of Kerala for further treatment since the conditions in other States are deteriorating day by day.

Hence, considering the nature of the matter and its urgency, this matter may kindly be treated as most urgent and posted to the vacation bench.

Dated this the 21<sup>st</sup> day of April, 2020

**Adv. Sriram Parakkat (K/935/2010)**  
**Adv. K.R. Sripathi (K/206/2012)**  
**Adv. Anupama Subramanian (K/666/2014)**  
**Counsel for the Petitioner**

**BEFORE THE HONOURABLE HIGH COURT OF KERALA AT  
ERNAKULAM**

**W.P.(C). No.            Of 2020  
(Original Jurisdiction)**

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Government Of Kerala, Secretariat  
Thiruvananthapuram - 695 001.

**UNDERTAKING IN TERMS OF THE GUIDELINES/PROCEDURE  
FOR VIDEO CONFERENCING VIDE NOTIFICATION OF THE  
HIGH COURT OF KERALA DATED 13.02.2020**

The undersigned, as counsels for the petitioners undertake to make available the hardcopies of the Writ Petition, Affidavit, Vakalathnama, Exhibits and all other documents soon after the Court resumes regular functioning. The Petitioners also undertake to pay the requisite Court fees as applicable soon after the Court resumes regular functioning within the time granted.

Dated this the 21<sup>st</sup> day of April, 2020

**Adv. Sriram Parakkat (K/935/2010)**  
**Adv. K.R. Sripathi (K/206/2012)**  
**Adv. Anupama Subramanian (K/666/2014)**  
**Counsel for the Petitioner**



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ERNAKULAM  
W.P.(C). No.            Of 2020  
(Original Jurisdiction)**

United Nurses Association,  
Through Its State President  
Mr. Shoby Joseph

:            Petitioner

vs.

Union Of India And Another

:            Respondents

**SYNOPSIS**

1. The Petitioner United Nurses Association (UNA), is a professional association of registered nurses in the state of Kerala in India. It is one of the largest nurses associations with 3.8 lakhs Nurses as its members representing the interest of the registered nurses through its constituents and its organisational affiliates. The UNA was mostly noted for bringing up the issue of exploitation of nurses as underpaid labourers in the thriving private hospital industry in the state.
2. The Petitioner herein is concerned about imminent and extreme risks posed to the health and safety of health care workers throughout the territory of India. The health and safety of health care workers are of utmost importance and in order to fight back in the present scenario of Covid – 19, shortage of health care workers would result in thousands of unattended COVID-19 patients.
3. COVID-19 was declared a pandemic by WHO on 11th March, 2020. WHO has advised countries to take a whole-of-government, whole- of- society approach, built around a comprehensive strategy to prevent infections, save lives and minimise impact. In India also, clusters have appeared in multiple States, particularly Kerala, Maharashtra, Rajasthan, Uttar Pradesh, Delhi, Punjab, Karnataka, Telangana and UT of Ladakh. 211 districts are now reporting COVID-19 cases and the risk of further spread remains very high. It is pertinent to mention that health care workers including doctors, nurses from different states are tested positive for Covid-19.
4. It is a known fact that ever since the break out of the pandemic, the State of Kerala has been a model state in so far as the efforts in tackling the pandemic is concerned. The efforts of the medical professionals in the State has been praised by authorities in and out of

the country. This writ petition brings before this Hon'ble Court the issue of Nurses belonging to the State of Kerala who are tested positive of the COVID 19 virus, who are awaiting tests after being prescribed tests but are denied basic care necessary in such a circumstance in various other States of India.

5. The petitioner association has spoken to Nurses from various states mainly Delhi, Maharashtra and West Bengal who are tested positive. The shocking revelations are as follows;
  1. The Nurses are working in alarmingly dangerous environments which give them exposure to the COVID 19 Virus.
  2. Even when nurses are showing symptoms, tests are not prescribed by the doctors to force them to work.
  3. Even days or weeks after a test is prescribed, the same is not done.
  4. After being tested positive also, the nurses are denied basic facilities like food, quarantine and medical care.
6. In these circumstances, innumerable times in the past few weeks, nurses families have informed the office of the Chief Minister of Kerala to intervene and seek directions from the concerned State Governments to intervene and force the Hospital authorities to do testing, quarantine, and provide food and shelter.
7. It is most humbly submitted that in so far as these requests are concerned, each of these times, the office of the Hon'ble Chief Minister was gracious enough to immediately intervene and seek immediate action from the State Governments concerned and many a times it has resulted in a small step ahead in terms of the facilities given to the Nurses from the State of Kerala. However, it is admitted by the authorities, that the speed at which the pandemic has started affecting the medical professionals including the nurses and the speed of these efforts have not been congruent and the efforts have not reached anywhere near effectively containing the pandemic spread among the nurses or allowing them to recover properly. The families of the nurses are therefore anxious and their agonies have been informed to the petitioner association and the petitioner association in turn petitioned the Hon'ble Chief Minister of Kerala for urgent steps for bringing the affected nurses back to the State of Kerala for treatment. Even though the office of the Hon'ble Chief Minister of Kerala has accepted the online petition, no steps have been promised in so far as bringing back of the nurses are concerned. It is most respectfully submitted that in the gravity of the situation, each and every moment lost in the other States where the facilities itself is less and the authorities have turned a blind eye in spite of repeated calls from the Kerala State Government, the family members of the nurses and one and all, is fatal for the cause of the lives of the nurses who have laid their lives to save our nation from this pandemic.

8. The petitioner association in the interest of Justice, in order to protect the right to life guaranteed under Article 21 of the Constitution of India of the nurses who have sacrificed their safety for the human beings of this country, seek a writ of mandamus to the State of Kerala to urgently take steps to bring back the COVID affected nurses (tested positive and those prescribed for a test and not tested) to the State of Kerala for further treatment since the conditions in other States are deteriorating day by day.
- 9.

**LIST OF EVENTS IN ITS CHRONOLOGICAL ORDER**

DATE	EVENT
<b>08.06.2012</b>	Registration of United Nurses Association as Trade Union
<b>08.03.2020</b>	COVID-19 was declared a pandemic by WHO
<b>19.04.2020</b>	The petitioner submitted a representation before the 2nd respondent

Hence this writ petition.

Dated this the 21<sup>st</sup> day of April, 2020

**Adv. Sriram Parakkat (K/935/2010)**  
**Adv. K.R. Sripathi (K/206/2012)**  
**Adv. Anupama Subramanian (K/666/2014)**  
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2. The State of Kerala,  
Represented by Chief Secretary,  
Government Of Kerala, Secretariat  
Thiruvananthapuram - 695 001.

The address for service of notice and other process on the petitioner is that of their counsel, **SRIRAM PARAKKAT, K.R. SRIPATHI & ANUPAMA SUBRAMANIAN**, Advocates, A3, Ittoop Tower, Kombara Junction, Near High Court of Kerala, Ernakulam. The address for service of notices and other processes on the respondents are as shown above, or on his Counsel engaged if any.

**MEMORANDUM OF WRIT PETITION FILED UNDER ARTICLE 226  
OF THE CONSTITUTION OF INDIA**

1. The Petitioner United Nurses Association (UNA), is a professional association of registered nurses in the state of Kerala in India. It is one of the largest nurses associations with 3.8 lakhs Nurses as its members representing the interest of the registered nurses through its constituents and its organisational affiliates. The UNA was mostly noted for bringing up the issue of exploitation of nurses as underpaid labourers in the thriving private hospital industry in the state. A true

copy of certificate of Registration of Trade Union is annexed herewith and marked as **Exhibit P1.**

2. The Petitioner herein is concerned about imminent and extreme risks posed to the health and safety of health care workers throughout the territory of India. The health and safety of health care workers are of utmost importance and in order to fight back in the present scenario of Covid – 19, shortage of health care workers would result in thousands of unattended COVID-19 patients.
3. COVID-19 was declared a pandemic by WHO on 11th March, 2020. WHO has advised countries to take a whole-of-government, whole- of-society approach, built around a comprehensive strategy to prevent infections, save lives and minimize impact. In India also, clusters have appeared in multiple States, particularly Kerala, Maharashtra, Rajasthan, Uttar Pradesh, Delhi, Punjab, Karnataka, Telangana and UT of Ladakh. 211 districts are now reporting COVID-19 cases and the risk of further spread remains very high. It is pertinent to mention that health care workers including doctors, nurses from different states are tested positive for Covid-19.
4. It is a known fact that ever since the break out of the pandemic, the State of Kerala has been a model state in so far as the efforts in tackling the pandemic is concerned. The efforts of the medical professionals in the State has been praised by authorities in and out of the country. This writ petition brings before this Hon'ble Court the issue of Nurses belonging to the State of Kerala who are tested positive of the COVID 19 virus, who are awaiting tests after being prescribed tests but are denied basic care necessary in such a circumstance in various other States of India.
5. The petitioner association has spoken to Nurses from various states mainly Delhi, Maharastra and West Bengal who are tested positive. The shocking revelations are as follows;
  - The Nureses are working in alarmingly dangerous environments which give them exposure to the COVID 19 Virus.

- Even when nurses are showing symptoms, tests are not prescribed by the doctors to force them to work.
  - Even days or weeks after a test is prescribed, the same is not done.
  - After being tested positive also, the nurses are denied basic facilities like food, quarantine and medical care.
6. In these circumstances, innumerable times in the past few weeks, nurses families have informed the office of the Chief Minister of Kerala to intervene and seek directions from the concerned State Governments to intervene and force the Hospital authorities to do testing, quarantine, and provide food and shelter.
  7. It is most humbly submitted that in so far as these requests are concerned, each of these times, the office of the Hon'ble Chief Minister was gracious enough to immediately intervene and seek immediate action from the State Governments concerned and many a times it has resulted in a small step ahead in terms of the facilities given to the Nurses from the State of Kerala.
  8. However, it is admitted by the authorities, that the speed at which the pandemic has started affecting the medical professionals including the nurses and the speed of these efforts have not been congruent and the efforts have not reached anywhere near effectively containing the pandemic spread among the nurses or allowing them to recover properly.
  9. The families of the nurses are therefore anxious and their agonies have been informed to the petitioner association and the petitioner association in turn petitioned the Hon'ble Chief Minister of Kerala for urgent steps for bringing the affected nurses back to the State of Kerala for treatment. A true copy of the Written Representation given in Malayalam language to the office of the Hon'ble Chief Minister of Kerala dated 19.04.2020 and a translated copy of the same is annexed herewith and marked as **Exhibit P2 and Exhibit P3** respectively.
  10. Even though the office of the Hon'ble Chief Minister of Kerala has accepted the online petition, no steps have been promised in so far as

bringing back of the nurses are concerned. It is most respectfully submitted that in the gravity of the situation, each and every moment lost in the other States where the facilities itself is less and the authorities have turned a blind eye in spite of repeated calls from the Kerala State Government, the family members of the nurses and one and all, is fatal for the cause of the lives of the nurses who have laid their lives to save our nation from this pandemic.

11. The petitioner association in the interest of Justice, in order to protect the right to life guaranteed under Article 21 of the Constitution of India of the nurses who have sacrificed their safety for the human beings of this country, seek a writ of mandamus to the State of Kerala to urgently take steps to bring back the COVID affected nurses (tested positive and those prescribed for a test and not tested) to the State of Kerala for further treatment since the conditions in other States are deteriorating day by day.

Aggrieved by the same and left with no other efficacious remedy, the petitioner begs to prefer this writ petition among the following other grounds:-

### **GROUND S**

- A. Covid -19 cannot be curbed or controlled without protecting our frontline fighters who are the medical professional and nurses. Health care workers who have an ethical duty to protect lives are themselves prone to risks of being infected with the deadly virus. Essentially the backbone of the entire medial fraternity are the Healthcare workers and any harm to them would eventually lead to the collapsing of the

<b>S NO.</b>	<b>State</b>	<b>No. of healthcare workers infected with Covid-19 / in Isolation (approximate)</b>
1.	Maharashtra	160+
2.	Delhi	17+
3.	Rajasthan	430+
4.	Madhya Pradesh	89+
5.	Tamil Nadu	20+

entire Protection Mechanisms. The situation can worsen in such

scenario if due to our lack of preparedness and negligence the lives of these health care workers could not be safeguarded. According to the Indian Nursing Council of the 20 lakh registered nurses across the country, 18 lakh are from Kerala. Here are some statistics to show the number of affected healthcare workers in different states:

The petitioner association seeks the indulgence of this Hon'ble Court to direct the State Government to take immediate steps protect the lives of our frontline warriors (nurses and health care workers) who are at greater risk and the backbone of entire Medical Fraternity.

- B. That the nurses and medical professionals have sacrificed their safety and worked in the field to prevent and contain the COVID 19 pandemic. Lack of proper medical facilities, protective gear and pure misfortune has resulted in a large number of them being tested positive of COVID 19 virus. In so far as the nurses belonging to the State of Kerala are concerned, the petitioner association has approached the Chief Minister of Kerala for help in bringing back the affected nurses to the State of Kerala for safer conditions and treatment. This request was made in the light of an array of events. The nurses in other states have been directly interacting with the patients. They have not been prescribed tests. Even when they were prescribed tests, tests were not done. Once tested positive, the necessary quarantine, safe conditions, not even food was accorded to the nurses. The office of the Hon'ble Chief Minister has taken many an efforts to communicate with the concerned State Governments. However by the time the efforts are fruitful, the spread of pandemic among nurses have overtaken the speed of these efforts and more and more nurses are affected. In these circumstances, the petitioner association seeks the indulgence of this Hon'ble Court to direct the State Government to take immediate steps to bring the affected nurses to Kerala for effective treatment.
- C. That the office of the Hon'ble Chief Minister of Kerala has accepted the online petition, no steps have been promised in so far as bringing back of the nurses are concerned. It is most respectfully submitted that in the gravity of the situation, each and every moment lost in the other States where the facilities itself is less and the authorities have turned a blind eye in spite of repeated calls from the Kerala State Government, the family members of the nurses and one and all, is fatal for the cause of the lives of the nurses who have laid their lives to save our nation

from this pandemic. The petitioner association in the interest of Justice, in order to protect the right to life guaranteed under Article 21 of the Constitution of India of the nurses who have sacrificed their safety for the human beings of this country, seek a writ of mandamus to the State of Kerala to urgently take steps to bring back the COVID affected nurses (tested positive and those prescribed for a test and not tested) to the State of Kerala for further treatment since the conditions in other States are deteriorating day by day.

It is therefore essential and expedient in the interest of justice that the main prayer, in the Writ Petition (Civil) is allowed and the interim relief sought for is granted lest the petitioner should be subjected to irreparable injuries and hardships.

#### **RELIEF SOUGHT FOR IN THE WRIT PETITION**

On these and other grounds to be urged at the time of hearing it is humbly prayed that this Honourable Court may be pleased to

- a) Issue a writ of mandamus to the State of Kerala to urgently take steps to bring back the COVID affected nurses (tested positive and those prescribed for a test and not tested) to the State of Kerala for further treatment since the conditions in other States are deteriorating day by day.
- b) Issue a writ of mandamus to the State of Kerala seeking urgent concrete intervention in other states to ensure the safety of nurses belonging to the state of Kerala who are affected by Covid – 19 (those prescribed for tests and those who are tested positive.
- c) Issue a writ of mandamus to the State of Kerala to monitor such grievances of the nursing community, in case of any, in future during this period.
- d) Pass such other writ, order or direction that this Honourable Court may deem fit and proper in the facts and circumstances of the above case..

**Shoby Joseph**  
**Petitioner**

**Interim Relief Prayed for:-**

For the reasons stated in the Writ Petition (Civil) and the affidavit, it may be most humbly prayed that the Hon'ble Court may be pleased to direct the respondents to urgently take steps to bring back the COVID affected nurses (tested positive and those prescribed for a test and not tested) to the State of Kerala for further treatment pending disposal of this writ petition.

Dated this the 21<sup>st</sup> day of April, 2020

**Shoby Joseph**  
**Petitioner**

**Adv. Sriram Parakkat (K/935/2010)**  
**Adv. K.R. Sripathi (K/206/2012)**  
**Adv. Anupama Subramanian (K/666/2014)**  
**Counsel for the Petitioner**

THE INDIAN TRADE UNIONS ACT  
ACT XVI OF 1926

CERTIFICATE OF REGISTRATION OF  
TRADE UNION

NO. 08 - 06 OF 19 2012

It is hereby certified that the

KERALA STATE UNITED NURSES ASSOCIATION

INLAND PALACE, FLAT NO. A4 NEAR SIDHARTHA  
REGENCY VELIANNUR P.O THRISSUR - 680021  
has been registered under the Indian Trade Unions

Act, 1926, this the 22<sup>nd</sup> day of

MAY 19 2012.



DEPUTY  
ADDITIONAL REGISTRAR OF TRADE UNIONS  
(KERALA STATE)

*[Handwritten signature in green ink]*  
23/05/2012

GPT.

23/5/12



**Kerala State  
United Nurses Association**

2<sup>nd</sup> Floor, Capital City, Korappath Lane  
Chembukkavu P.O, Thrissur - 680020

Date : 19-04-2020

ബഹു കേരളാ മുഖ്യമന്ത്രി,

വിഷയം: അന്യ സംസ്ഥാനങ്ങളിൽ കോവിഡ് 19 ബാധിച്ച് മതിയായ ചികിത്സയും ഭക്ഷണവും, സംരക്ഷണവും ലഭിക്കാതെ പ്രയാസം അനുഭവിക്കുന്ന മലയാളി നഴ്സുമാരെ നാട്ടിൽ എത്തിച്ചു മതിയായ സംരക്ഷണം ഉറപ്പാക്കുന്നതുമായി ബന്ധപ്പെട്ട്

സാർ,

കേരളം കോവിഡ് 19 പ്രതിരോധത്തിലും, ചികിത്സയിലും ഇന്ത്യക്ക് തന്നെ മാതൃക ആയിരിക്കുന്നത് അഭിനന്ദനീയവും പ്രശംസനീയവുമാണ്. കേരളത്തിൽ കോവിഡ് 19 ബാധിച്ച രേഷ്മ എന്ന നഴ്സിന് ഏറ്റവും മികച്ച ചികിത്സ ആണ് സംസ്ഥാനം ഒരുക്കിയത്. എന്നാൽ മറ്റു സംസ്ഥാനങ്ങളിലെ സ്ഥിതി വളരെ ശോചനീയമാണ്. ഇതര സംസ്ഥാനങ്ങളായ മഹാരാഷ്ട്ര ഡൽഹി, പശ്ചിമ ബംഗാൾ ഉൾപ്പെടെ ഉള്ള സംസ്ഥാനങ്ങളിലായി നൂറിൽ അധികം മലയാളി നഴ്സുമാർ കോവിഡ് 19 ബാധിതർ ആയിരിക്കുന്നു. മൂന്നുറിൽ അധികം പേർ പരിശോധനക്കു ശേഷം റിസൾട്ടിനായി കാത്തിരിക്കുന്നു. ഇവർ മഹാ ഭൂരിപക്ഷം പേർക്കും മതിയായ ചികിത്സയോ ഭക്ഷണമോ ലഭിക്കുന്നില്ല. ഇവരുടെ താമസ സ്ഥലങ്ങൾ വളരെ ശോചനീയമാണ്. നമ്മുടെ നാട് അതിഥി തൊഴിലാളികളോട് കാണിക്കുന്ന കരുതൽ പോലും അന്യ സംസ്ഥാനങ്ങൾ കോവിഡ് 19 പോരാളികളായ നഴ്സുമാരോട് കാണിക്കുന്നില്ല എന്നത് അങ്ങേയറ്റം പ്രതിഷേധാർഹമാണ്. ഇവരുടെ കുടുംബാംഗങ്ങളുടെ ആശങ്കയും പ്രയാസവും ഞങ്ങൾ ഈ സമയം അങ്ങേക്ക് മുൻപിൽ ബോധിപ്പിക്കുന്നു. ഭൂരിപക്ഷം പേരുടെയും കുഞ്ഞു മക്കളും, വീട്ടുകാരും അനുഭവിക്കുന്ന പ്രയാസങ്ങളും നഴ്സുമാരുടെ മനോവേദനയും അങ്ങേക്ക് ഊഹിക്കാവുന്നതാണല്ലോ. ഗർഭിണികൾ ആയിട്ടുള്ള നഴ്സുമാർ ഉൾപ്പെടെ കൊറോണ ബാധിതരായിരിക്കുന്നു എന്നുള്ളത് ആശങ്ക വർദ്ധിപ്പിക്കുന്നതാണ്. ആയതിനാൽ ജീവിത മാർഗങ്ങൾ തേടി അന്യനാടുകളിൽ ജോലിചെയ്യുന്ന നമ്മുടെ സ്വന്തം മാലാഖമാരെന്ന് അധികാരികൾ വിശേഷിപ്പിക്കുന്ന മലയാളി നഴ്സുമാരുടെ ജീവൻ സംരക്ഷിക്കുന്നതിനായി അവരെ അടിയന്തിരമായി നാട്ടിൽ എത്തിച്ചു മികച്ച ചികിത്സയും സംരക്ഷണവും ഉറപ്പു വരുത്തി അവരുടെയും കുടുംബങ്ങളുടെയും ആശങ്കയ്ക്ക് പരിഹാരം കാണണം എന്ന് വിനീതമായി അഭ്യർത്ഥിക്കുന്നു.

എന്ന്,                    ഷോബി ജോസഫ്  
  
സ്റ്റേറ്റ് പ്രസിഡന്റ്,  
യു.എൻ.എ. കേരള

**Kerala State  
United Nurses Association**  
2<sup>nd</sup> Floor, Capital City, Korappath Lane  
Chembukkavu P.O, Thrissur- 680020

**Date : 19-04-2020**

Respected Chief Minister of Kerala,

Sub: As regards our request to bring back to Kerala the nurses who are working in other states and have been infected with COVID 19 virus and are suffering from the lack of food, protection, quarantine, and treatment:

It's worth praise that the State of Kerala has become a model for all states in India in testing and containing the Covid 19 pandemic. In this regard it is pertinent to note that the nurse Reshma who was infected by COVID 19 has been given the best treatment by the Health authorities in Kerala. It is also worth mentioning that the situation in other states in so far as tackling this virus is not exactly the same as Kerala. It is known to us that some of the states are not able to handle the situation and the situation of nurses is pathetic. In the states of Maharashtra, Delhi and West Bengal, more than 100 nurses who belong to the State of Kerala have been tested positive of COVID 19 virus. More than 300 nurses are awaiting results after tests. Majority of them are not getting proper treatment and not even food. Their places of stay are not hygienic and are in pathetic condition. It won't be preposterous to say that the care taken by the State of Kerala I'm so far as migrant labourers are concerned are not reciprocated by the other states in so far as the warriors of COVID (the nurses and medical professionals) by the other states. In this unfortunate moment, we are placing before your unfortunate self the anxiety of the families of the nurses as well. Your esteemed self would be able to imagine, the level of anxiety of the nurses, their small children, old parents especially of the ones who are tested positive. The fact that many of the nurses who are tested positive are pregnant women is disturbing.

For the aforesaid reasons, it is requested that the steps be taken to bring back the effected nurses to Kerala and offer them treatment in their home state.

Respectful Regards

Shoby Joseph  
State President

**BEFORE THE HONOURABLE HIGH COURT OF KERALA AT  
ERNAKULAM**

**W.P.(C). No.            Of 2020  
(Original Jurisdiction)**

United Nurses Association,  
Through Its State President  
Mr. Shoby Joseph

:            Petitioner

vs.

Union Of India And Another

:            Respondents

**AFFIDAVIT**

I, Shoby Joseph, representing the United Nurses Association (UNA), in the capacity of its State President, R/O. Door No. 26/548/9, 2nd Floor, Capital City, Korappath Line, Round North, Thrissur-680020, Kerala.

1. I am the petitioner in the above Writ Petition and am well conversant with the facts of the case. I am competent to swear this affidavit.
2. The above W.P.(C) was prepared under my instructions.
3. The statement of facts contained in the above W.P.(C) is true to the best of my knowledge, information and belief. The averments of law are made on the advice of my counsel and I believe them to be true, sustainable and sufficient to grant the relieves prayed for in the above W.P.(C) and the interim prayer.
4. The documents produced in the above W.P.(C) are true copies of the originals they represent. I have not filed earlier any petitions seeking similar and identical reliefs in the same subject.
5. I am filing this Public Interest Litigation to direct the respondents to Urgently Take Steps To Bring Back The Covid Affected Nurses (Tested Positive And Those Prescribed For A Test And Not Tested) To The State Of Kerala For Further Treatment Since The Conditions In Other States Are Deteriorating Day By Day.
6. I have no personal or private interest in the matter and that there are no authoritative pronouncements by the Hon'ble Supreme Court or this Hon'ble Court on the questions raised and that the result of the litigation shall not lead to any undue gain to myself or to anyone associated with me.

Dated this the 21<sup>st</sup> day of April, 2020

**Shoby Joseph  
Petitioner**

Literate deponent solemnly affirmed and signed before me on this the 21st day of April 2020 at my office at Ernakulam

**K.R. Sripathi  
Advocate**