

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 7TH DAY OF AUGUST 2015/16TH SRAVANA, 1937

WP(C).No. 7772 of 2015 (V)

PETITIONER:

**MARIA LUCY P.R.,
THERUVIL HOUSE, EDAKOCHI.**

BY ADV. SRI.P.P.JACOB

RESPONDENT(S) :

- 1. THE CORPORATION OF KOCHI,
OFFICE OF THE CORPORATION OF KOCHI, ERNAKULAM,
PIN-682 011, REPRESENTED BY ITS SECRETARY.**
- 2. THE ASSISTANT ENGINEER (ZONAL OFFICE),
CORPORATION OF KOCHI, PALLURUTHY, KOCHI-682 006.**
- 3. THE ASSISTANT ENGINEER,
P.W.D.ROAD SECTION, MATTANCHERRY.**
- 4. THE ASSISTANT ENGINEER,
WATER SUPPLY SUB DIVISION, KARUVELIPPADY,
ERNAKULAM, KOCHI-682 005.**

**R1 & R2 BY ADV. SRI.K.P.JUSTINE(KARIPAT)SC,COCHIN CORPN
SRI.P.K.SOYUZ,SC,COCHIN CORPORATION
R3 BY SR GOVERNMENT PLEADER SRI.BIJU MEENATTOOR
R4 BY ADV. SRI.GEORGE MATHEW, SC, KERALA WATER AUTHORITY**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 07-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).No. 7772 of 2015 (V)

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1- TRUE COPY OF THE COMMON JUDGMENT IN O.S. 549/93 AND
O.S. 131/94 OF THE PRINCIPLE MUNSIFF'S COURT, KOCHI DATED
27-6-95.**
- EXHIBIT P2- TRUE PHOTOCOPY OF THE DECREE IN O.S. 549/93 OF PRINCIPLE
MUNSIFF'S COURT, KOCHI DATED 27-6-95.**
- EXHIBIT P3- TRUE PHOTOCOPY OF THE ORDER IN WPC.NO.14938/13
DATED 27-6-2013.**
- EXHIBIT P4- TRUE PHOTOCOPY OF THE ORDER DATED 24-2-2012 ISSUED FROM
THE PWD OFFICE ROAD SECTION.**
- EXHIBIT P5- TRUE PHOTOCOPY OF THE REPRESENTATION FIELD BY THE
PETITIONER BEFORE THE RESPONDENTS 1 & 2 DATED 28-2-15.**

RESPONDENT(S)' EXHIBITS: **NIL**

/TRUE COPY/

P.A.TO JUDGE

sts

K. VINOD CHANDRAN, J

W.P(C) No. 7772 of 2015

Dated this the 07th day of August, 2015

J U D G M E N T

The petitioner who has an easement right over the property of the Corporation for ingress and egress into his property seeks for drawing of a water connection through the said pathway. Admittedly, there is a road constructed in the said property owned by the Corporation through which the petitioner has an easement right. The Corporation has filed a counter affidavit saying that if a proper application is filed for laying the lines after providing the trenches for the pipes, the same shall be considered and the water connection will be drawn provided the petitioner pays the fees for the same. Recording the submission of the Corporation, writ petition is disposed of, making it clear that the filing of an application will not in any manner affect the easement right of the petitioner.

Writ petition is disposed of.

Sd/-

(K. VINOD CHANDRAN, JUDGE)

jma

//true copy//

P.A to Judge