

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE A.V.RAMAKRISHNA PILLAI

MONDAY, THE 15TH DAY OF JUNE 2015/25TH JYAISHTA, 1937

WP(C).No.15814 of 2015 (B)

PETITIONER:

**BHASKARAN,S/O.KRISHNAN,THAZHEKKATT HOUSE,
KOORKKANCHERRY P.O,THRISSUR-680 007.**

BY ADV.SRI.DINESH MATHEW J.MURICKEN

RESPONDENT'S:

- 1. THRISSUR CORPORATION,
REPRESENTED BY ITS SECRETARY,
THRISSUR P.O-680 001.**
- 2. THE SECRETARY,THRISSUR CORPORATION,
THRISSUR P.O-680 001**
- 3. THE EXECUTIVE ENGINEER,
THRISSUR CORPORATION,THRISSUR P.O-680 001.**
- 4. ASSISTANT EXECUTIVE ENGINEER,
WATER WORKS SUB DIVISION,
KERALA WATER AUTHORITY,
CHEMBUKAVU P.O,THRISSUR-680 001.**

**R1-R3 BY SRI.K.P.VIJAYAN,SC,THRISSUR CORPORATION
SRI.V.N.HARIDAS,S.C**

R4 BY SRI.MILLU DANDAPANI, SC, KERALA WATER AUTHORITY

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 15-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

pk

WP(C).No.15814 of 2015 (B)

APPENDIX

PETITIONER'S EXHIBITS:

**EXT.P1:TRUE COPY OF THE TITLE DED NO.5952 /2012 OF THE PETITIONER'S
PROPERTY DATED 29/11/2012.**

**EXT.P2:TRUE COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER
BEFORE THE 2ND RESPONDENT DATED 09/02/2015.**

**EXT.P3:TRUE COPY OF THE LETTER SENT BY THE 3RD RESPONDENT TO THE
4TH RESPONDENT DATED 28/02/2015.**

**EXT.P4:TRUE COPY OF THE ESTIMATE PREPARED BY THE 4TH RESPONDENT
DATED 23/04/2015.**

**EXT.P5:TRUE COPY FO THE APPLICATION SUBMITTED BY THE PETITIONER
BEFORE THE 2ND RESPONDENT DATED 7/5/15**

RESPONDENT'S EXHIBITS:

NIL

//TRUE COPY//

P.S. TO JUDGE

pk

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 15814 of 2015

Dated this the 15th day of June, 2015.

JUDGMENT

The petitioner is seeking a direction to the respondents Corporation to shift the public water tap from the existing position at the petitioner's expense.

2. The petitioner is the owner in possession of 2.43 Ares of property in Koorkkancherry Village in Ward No.40 of the Thrissur Corporation. The petitioner alleges that he is unable to construct a residential house in his property due to the public water tap situated in front of his property which caused obstruction to the transportation of the building materials for the construction of the house. The petitioner by Exts. P2 and P5 applications had requested the respondents to shift the public water tap by two metres either forward or backward from the existing point. However, the respondents are taking a lukewarm attitude to the request of the petitioner. The petitioner is ready and willing to bear the expenses for

shifting the public water tap. It is with this background, the petitioner has come up before this Court.

3. I have heard the learned counsel for the petitioner, the learned Standing Counsel for the respondent Corporation and the learned Government Pleader in the matter.

4. The learned Standing Counsel for the Corporation submitted that Ext.P5 is pending before the respondent Corporation.

Therefore, the writ petition is disposed of directing the respondent Corporation to consider and pass orders on Ext.P5 application, within a period of two weeks from the date of receipt of a copy of this judgment. To facilitate an early action, it shall be open to the petitioner to produce a copy of the writ petition as well as the copy of this judgment before the respondent Corporation at the earliest.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

Scl.