

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

FRIDAY, THE 20TH DAY OF MARCH 2015/29TH PHALGUNA, 1936

WP(C).No. 30791 of 2014 (Y)

PETITIONER:

C M MATHEW, AGED 51 YEARS
S/O.MATHAI, CHOORACKAL, KOZHUVANAL
CONVENER, KOZHUVANAL
DRINKING WATER SUPPLY SCHEME) DWSS, REG.NO.265/2007
KOZHUVANAL P.O., PALA, KOTTAYAM DISTRICT.

BY ADVS.SRI.K.S.HARIHARAPUTHRAN
SRI.M.D.SASIKUMARAN
SRI.GEORGE MATHEW
SRI.SUNIL KUMAR A.G
SRI.DIPU JAMES

RESPONDENT(S) :

1. STATE OF KERALA
REPRESENTED BY ITS SECRETARY
LOCAL SELF GOVERNMENT DEPARTMENT
GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM - 695 001.
2. KOTTAYAM DISTRICT PANCHAYATH
REP. BY ITS SECRETARY, DISTRICT PANCHAYATH OFFICE
KOTTAYAM - 685 001.
3. SECRETARY
KOTTAYAM DISTRICT PANCHAYATH
DISTRICT PANCHAYATH OFFICE, KOTTAYAM 685 001.
4. THE EXECUTIVE ENGINEER
LSGD DIVISION, KOTTAYAM DISTRICT
DISTRICT PANCHAYATH OFFICE, KOTTAYAM - 685 001.

R1 & R4 BY GOVERNMENT PLEADER SRI. G. GOPAKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
20-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) .No. 30791 of 2014 (Y)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXT.P-1: TRUE COPY OF THE ESTIMATE SUBMITTED BY THE ASSISTANT
ENGINEER, LSGD SECTION.

EXT.P-2: TRUE COPY OF THE LETTER DATED 2.3.2014.

EXT.P-3: TRUE COPY OF THE LETTER TO THE 2ND RESPONDENT BY THE
COMMITTEE DATED 10.3.2014.

EXT.P-4: TRUE COPY OF THE LETTER DATED 30.4.2014.

EXT.P-5: TRUE COPY OF THE REVISED ESTIMATE DTD 16.5.2014.

EXT.P-6: TRUE COPY OF THE LETTER NO.AB1/134/1213 DATED 11.8.2014.

EXT.P-7: TRUE COPY OF G.O(ORD) NO.2864/2014/LSGD DTD 4.11.2014.

RESPONDENT'S EXHIBITS: NIL

TRUE COPY

PA TO JUDGE

Scl.

DAMA SESHADRI NAIDU, J.

W.P.(c) No. 30791 of 2014

Dated this the 06th day of February, 2015

JUDGMENT

Briefly stated, the petitioner is said to be the Convenor of the Beneficiary committee of Drinking Water Supply Scheme (DWSS) in Kozhuvanal Grama Panchayat, Kottayam District. As per Exhibit P1 original estimate, the petitioner was allotted four works which are said to have been completed by the petitioner with certain deviations.

2. Taking note of all the deviations and the circumstances under which those deviations were required to be taken, the fourth respondent approved the works completed by the petitioner, through Exhibits P5 and P6 proceedings, and recommended to the second and third respondents to take further steps for approval and sanction of the funds. Ventilating his grievance that so far Exhibits P5 and P6 recommendations of the fourth respondent have

not been acted upon by the second and third respondents, the petitioner has approached this Court.

3. Though notice was served, none appears for the second and third respondents. The learned Government Pleader, representing first and fourth respondents, has submitted that in the face of Exhibits P5 and P6 communications from the fourth respondent, it is for the second and third respondents to take appropriate decision in that regard.

4. In the facts and circumstances, having regard to the respective submissions of the learned counsel for the petitioner and the learned Government Pleader for the respondents, this Court, without expressing any opinion on the merits of the matter, disposes of the present writ petition with a direction to the second and third respondents to take appropriate steps in the light of Exhibits P5 and P6 proceedings issued by the fourth respondent, as expeditiously as possible, at any rate, within twenty days from the date of receipt of a copy of this judgment, especially in the light of the submission made by the learned counsel for the petitioner that the funds earmarked

for the said project are to lapse by 31.03.2015.

With the above observation, this writ petition is disposed of.

**DAMA SESHADRI NAIDU
JUDGE**

DMR/-